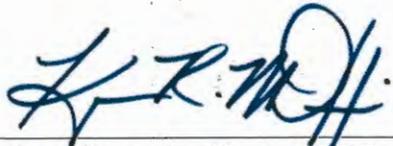


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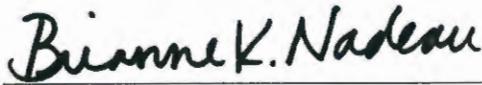
Councilmember Kenyan McDuffie



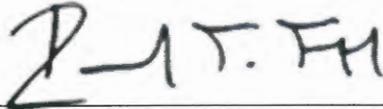
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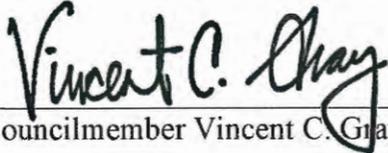
Councilmember Elissa Silverman



Councilmember Brianne K. Nadeau



Councilmember Brandon Todd



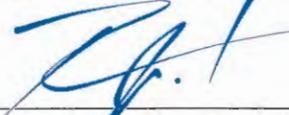
Councilmember Vincent C. Gray



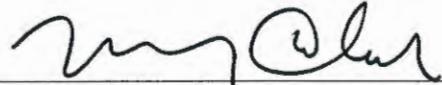
Chairman Phil Mendelson



Councilmember David Grosso



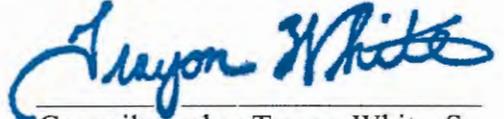
Councilmember Robert C. White, Jr.



Councilmember Mary M. Cheh



Councilmember Charles Allen



Councilmember Trayon White, Sr.

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To provide, on an temporary basis, additional authority to the Mayor and to address critical needs of District residents and businesses during the current public health emergency including wage replacement, business relief, and additional authorities and exemptions regarding health, public safety, consumer protection, and government operation, and to authorize and provide for the issuance, sale, and delivery of certain District of Columbia notes and bonds.

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103 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
104 act may be cited as the “COVID-19 Response Supplemental Temporary Amendment Act of
105 2020”.

106 **TITLE I. LABOR, WORKFORCE DEVELOPMENT, AND EDUCATION**

107 Sec. 101. Unemployment insurance clarification.

108 (a) Section 101 of the COVID-19 Response Emergency Amendment Act of 2020,
109 effective March 17, 2020 (D.C. Act 23-247; 67 DCR 3093), is amended as follows:

110 (1) Subsection (b) is amended to read as follows:

111 “(b)(1) Upon application, an affected employee shall receive unemployment insurance
112 compensation (“UI”), which the Director of the Department of Employment Services shall
113 administer under the Unemployment Compensation Program established pursuant to the District
114 of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C.
115 Official Code § 51-101 *et seq.*).

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

117 “(A) Employer has provided a date certain for the employee’s return to
118 work; or

119 “(B) Employee has a reasonable expectation of continued employment
120 with the current employer.

121 “(3) For an affected employee, the term “most recent work” shall mean the
122 employer for whom the individual last performed at least one day of “employment” as that term
123 is defined by section 1(2)(B) of the District of Columbia Unemployment Compensation Act,
124 approved August 28, 1935 (49 Stat. 946; D.C. Official Code § 51-101(2)(B)).”.

125 (2) Subsection (d) is amended by striking the phrase “For the purposes of this
126 section, the term “affected employee” means an employee otherwise eligible for UI pursuant to
127 section 9 of the District of Columbia Unemployment Compensation Act, approved August 28,
128 1935 (49 Stat. 950; D.C. Code § 51-109), who is” and inserting the phrase “For the purposes of
129 this section, the term “affected employee” means an employee who, except as provided in
130 subsection (g) of this section, is otherwise eligible for UI pursuant to section 9 of the District of

131 Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 950; D.C.
132 Code § 51-109), and who is” in its place.

133 (3) A new subsection (g) is added to read as follows:

134 “(g) Notwithstanding any provision of District law, but subject to applicable federal laws
135 and regulations, during a period of time for which the Mayor has declared a public health
136 emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
137 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the
138 requirements of section 9(a)(4)(B) and 9(a)(5) of the District of Columbia Unemployment
139 Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Official Code § 51-
140 109(a)(4)(B) and (5)), shall not apply.”.

141 (b) The District of Columbia Unemployment Compensation Act, effective August 28,
142 1935 (49 Stat. 946; D.C. Official Code § 51-101 *et seq.*) is amended as follows:

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

145 “(A-i) During a period of time for which the Mayor has declared a public
146 health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of
147 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7- 2304.01) and in
148 conformity with federal law, the Director may determine that the term “employment” as defined
149 in paragraph (2)(A) of this section may include individuals who are self-employed, seeking part-
150 time employment, do not have sufficient work history, or otherwise would not qualify for regular
151 unemployment or extended benefits under District or Federal law or pandemic emergency
152 unemployment compensation.”.

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

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

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

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

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

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

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

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

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

172 “(b) During a period of time for which the Mayor has declared a public health emergency
173 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
174 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7- 2304.01), the Director shall have
175 broad discretion to waive any eligibility requirements set forth in this subchapter other than the

176 physical ability and availability requirement when the Director deems such waiver to be in the
177 public interest.”.

178 Sec. 102. District work-share program expansion.

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

181 (a) Section 2(5) (D.C. Official Code § 51-171(5)) is amended by striking the phrase
182 “lesser of” and inserting the phrase “usual hours of work of full-time and regular part-time
183 workers in the affected unit. Overtime hours are not included as part of normal weekly hours of
184 work. The normal weekly hours of an affected unit is the lesser of:” in its place.

185 (b) Section 5 (D.C. Official Code § 51-174) is amended as follows:

186 (1) Subsection (a)(4) is amended by striking the phrase “20% and not more than
187 40%” and inserting the phrase “10% and not more than 60%” in its place.

188 (2) Subsection (c) is amended to read as follows:

189 “(c) A shared work plan shall not be implemented:

190 “(1) To subsidize seasonal employers during the off-season or to subsidize
191 employers who have traditionally used a part-time employee;

192 “(2) If the employer’s unemployment insurance account has a negative
193 unemployment experience account;

194 “(3) If the employer’s unemployment insurance account is taxed at the maximum
195 tax rate in effect for the calendar year;

196 “(4) For employers who have not qualified to have a tax rate assigned based on
197 actual experience; therefore, employers subject to a “new employer” tax rate not eligible to
198 participate in a shared work program; or

199 “(5) For employees who are receiving or who will receive supplemental
200 unemployment benefits during any period a shared work plan is in effect.”

201 (3) Subsection (d) is amended by striking the number “30th” and inserting the
202 number “7th” in its place.

203 (d) Section 8(b) (D.C. Official Code § 51-177(b)) is amended as follows:

204 (1) Paragraph (1) is amended by striking the phrase “was approved before the
205 week in question and is in effect” and inserting the phrase “is in effect” in its place.

206 (2) Paragraph (3) is amended by striking the phrase “20% but not more than 40%”
207 and inserting the phrase “10% but not more than 60%” in its place.

208 (3) Paragraph (4) is repealed.

209 (e) Section 9(b) (D.C. Official Code § 51-178(b)) is repealed.

210 Sec. 103. Declaration of emergency sick leave.

211 The Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-
212 152; D.C. Official Code § 32-531.01 *et seq.*), is amended as follows:

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

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

217 “Sec. 3a. Declared emergency leave requirement.

218 “(a)(1) During the COVID-19 emergency, an employer with between 50 and 499
219 employees that is not a health care provider shall provide paid leave to an employee pursuant to
220 this section for an absence from work due to any of the reasons for which paid leave may be used

221 pursuant to sections 3102 and 5102 of the Families First Coronavirus Response Act, approved
222 March 18, 2020 (Pub. L. No. 116-127; 134 Stat. 178).

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

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

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

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

238 “(5) An employer may require that an employee exhaust any available leave under
239 federal or District law or an employer’s own policies prior to use of additional leave under this
240 section.

241 “(b) Nothing in this section shall be construed to require an employer to provide an
242 employee with paid leave pursuant to this section for more than 2 full weeks of work, up to 80
243 hours. If an employee uses all of the declared emergency paid leave available and subsequently

244 informs the employer of the employee’s continued need to be absent from work, the employer
245 shall inform the employeec of any paid or unpaid leave to which the employee may be entitled
246 pursuant to federal law, other District law, or the employer’s own policies.

247 “(c) An employer alleged to have violated this section shall be provided with an
248 opportunity to cure such alleged violation by the Mayor. Such opportunity to cure shall last for
249 no more than 5 business days from the date the employer is notified in writing of the potential
250 violation of the law. Such notice may be from the Mayor’s duly authorized representative in a
251 form and manner as prescribed by the representative.

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

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

257 “(2) “Health care provider” means any doctor’s office, hospital, health care
258 center, clinic, post- secondary educational institution offering health care instruction, medical
259 school, local health department or agency, nursing facility, retirement facility, nursing home,
260 home health care provider, any facility that performs laboratory or medical testing, pharmacy, or
261 any similar institution, Employer, or entity. This includes any permanent or temporary
262 institution, facility, location, or site where medical services are provided that are similar to such
263 institutions.”

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

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

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

267 “(b) An employee who seeks to use paid leave pursuant to section 3a shall not:

268 “(1) Except for emergency leave pursuant to paragraph (2) of this
269 subsection, be required by the employer to provide more than 48 hours’ notice of the need to use
270 such leave;

271 “(2) Be required by the employee’s employer to provide more than
272 reasonable notice of the employee’s need to use such leave in the event of an emergency;

273 “(3) Be subject to threats or retaliation, including verbal or written
274 warnings; or

275 “(4) Be required by the employer to search for or identify another
276 employee to perform the work hours or work of the employee using paid leave.”.

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

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

282 “(2) When certification is required by an employer for the use of paid leave
283 pursuant to section 3a, the employee shall not be required to provide it until one week after the
284 employee’s return to work.

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

288 Sec. 104. Emergency leave enforcement.

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

292 “(b-1)(1) Notwithstanding subsections (b) and (e) of this section, during the COVID-19
293 emergency, money in the Fund may be used for activities related to enforcement the declared
294 emergency leave requirement contained in Section 3a of the Accrued Sick and Safe Leave Act of
295 2008, passed on emergency basis on April 7, 2020 (Enrolled version of Bill 23-X).”

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

300 Sec. 105. UDC fundraising match.

301 Section 4082(a) of the University of the District of Columbia Fundraising Match Act of
302 2019, effective September 11, 2019 (D.C. Law 23-16; 66 DCR 12631), is amended by striking
303 the phrase “for every \$2 that UDC raises from private donations by April 1” and inserting the
304 phrase “to match dollar-for-dollar the amount UDC raises from private donations by May 1” in
305 its place.

306 Sec. 106. Graduation requirements.

307 Chapter 22 of Title 5-A of the District of Columbia Municipal Regulations (5-A DCMR §
308 2201 *et seq.*) is amended as follows:

309 (a) Section 2203.3(f) (5-A DCMR § 2203.3(f)) is amended by striking the phrase “shall
310 be satisfactorily completed” and inserting the phrase “shall be satisfactorily completed, except

311 that this requirement shall be waived for a senior who would otherwise be eligible to graduate
312 from high school in the District of Columbia in the 2019-20 school year” in its place.

313 (b) Section 2299.1 (5-A DCMR § 2299.1) is amended by striking the phrase “one
314 hundred and twenty (120) hours of classroom instruction over the course of an academic year”
315 and inserting the phrase “one hundred and twenty (120) hours of classroom instruction over the
316 course of an academic year, except that, following the Superintendent’s approval to grant an
317 exception to the one hundred eighty (180) day instructional day requirement pursuant to 5A
318 DCMR § 2100.3 for school year 2019-20, a Carnegie Unit may consist of fewer than one
319 hundred and twenty (120) hours of classroom instruction over the course of the 2019-2020
320 academic year for any course in which a student in grades 9-12 is enrolled” in its place.

321 **TITLE II. BUSINESS DEVELOPMENT AND CONSUMER PROTECTION**

322 Sec. 201. Enhanced penalties for unlawful trade practices.

323 Section 28-3903(a)(17) of the District of Columbia Official Code is amended by striking
324 the phrase “by the Department.” and inserting the phrase “by the Department; except, that
325 notwithstanding any other provision of District law or regulation, during a period of time for
326 which the Mayor has declared a public health emergency pursuant to section 5a of the District of
327 Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14- 194; D.C.
328 Official Code§ 7-2304.01), a violation of this chapter or of any rule issued under the authority of
329 this chapter shall be a Class 1 infraction within the meaning of 16 DCMR § 3200.1(a).”.

330 Sec. 202. Mortgage relief.

331 (a) In accordance with section 5(b)(15) of the District of Columbia Public Emergency
332 Act of 1980, effective March 17, 2020 (D.C. Law 3-149; D.C. Official Code § 7-2301(b)(15)),
333 and notwithstanding the any provision of the Mortgage Lender and Broker Act of 1996, effective

334 September 9, 1996 (D.C. Act 23-247; D.C. Official Code § 26-1101 *et seq.*) (“Mortgage Lender
335 Act”), or any other provision of District law, during a period of time for which the Mayor has
336 declared a public health emergency pursuant to section 5a of the District of Columbia Public
337 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14- 194; D.C. Official Code § 7-
338 2304.01), and for 60 days thereafter, a mortgage servicer that holds mortgage servicing rights to
339 a residential mortgage loan or commercial mortgage loan under the jurisdiction of the
340 Commissioner of the Department of Insurance, Securities, and Banking, shall develop a
341 deferment program for borrowers that, at a minimum:

342 (1) Grants at least a 90-day deferment period of mortgage payments for
343 borrowers;

344 (2) Waives any late fee, processing fee, or any other fees accrued during the
345 pendency of the public health emergency; and

346 (3) Does not report to a credit bureau any delinquency or other derogatory
347 information that occurs as a result of the deferral.

348 (b) The mortgage servicer shall establish application criteria and procedures for
349 borrowers to apply for the deferment program. An application shall be made available online and
350 by telephone.

351 (c) The mortgage servicer shall approve each application in which a borrower:

352 (1) Demonstrates to the mortgage servicer evidence of a financial hardship
353 resulting directly or indirectly from the public health emergency, including an existing
354 delinquency or future ability to make payments; and

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

356 (A) A reasonable time agreed to in writing by the applicant and the
357 mortgage servicer; or

358 (B) If no reasonable time can be agreed to pursuant to subparagraph (A) of
359 this paragraph, 5 years from the end of the deferment period, or the end of the original term of
360 the mortgage loan, whichever is earlier.

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

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

366 (e) A mortgage servicer shall be prohibited from requiring a lump sum payment from
367 any borrower making payments under a deferred payment program pursuant to subsection
368 (c)(2)(A) of this section, subject to investor guidelines.

369 (f) A person or business whose application for deferment is denied may file a written
370 complaint with the Commissioner. The Commissioner is authorized to investigate the complaint
371 in accordance with section 13 of the Mortgage Lender and Broker Act of 1966, effective
372 September 9, 1996 (D.C. Law 11-1551; D.C. Official Code § 26-1112).

373 (g) A borrower receiving a mortgage deferral pursuant to subsection (b) of this section on
374 a property that has a commercial tenant:

375 (1) Shall reduce the rent charged for the property to any qualified tenant during
376 the period of time in which there is mortgage deferral in place in an amount proportional to the
377 reduced mortgage amount paid by the borrower to the mortgage servicer; and

378 (2) May require the qualified tenant repay the amount of any reduced rent,
379 without interest or fees, within 18 months, or at the end of the lease term, whichever occurs first.

380 (h) To the extent necessary to conform with the provisions of this section, the exemptions
381 in section 3 of the Mortgage Lender and Broker Act of 1996, effective September 9, 1996 (D.C.
382 Law 11-155; D.C. Official Code § 26-1102), are waived for the duration of the public health
383 emergency.

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

388 (k) This section shall not apply to a property for which, as of March 11, 2020, a mortgage
389 servicer initiated a foreclosure action or exercised its right to accelerate the balance and maturity
390 date of the loan, on or before March 11, 2020.

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

392 (1) “Commercial mortgage loan” means a loan for the acquisition, construction,
393 or development of real property, or a loan secured by collateral in such real property, that is
394 owned or used by a person, business, or entity for the purpose of generating profit, and shall
395 include real property used for single-family housing, multifamily housing, retail, office space,
396 and commercial space.

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

399 (3) “Mortgage servicer” mean an entity that has mortgage servicing rights.

400 (4) “Mortgage servicing rights” means the right under a contractual agreement
401 between the mortgage lender and a mortgage servicer for the mortgage servicer to receive
402 scheduled periodic payments from a person or business pursuant to the terms of a mortgage loan
403 and performs other services in connection with the mortgage, including maintaining account
404 records and communicating with the borrower.

405 (5) “Qualified tenant” means a commercial tenant of a property owned or
406 controlled by a person or entity receiving a mortgage deferral under subsection (a) of this section
407 that has notified the landlord of an inability to pay all or a portion of the rent due as a result of
408 the public health emergency.

409 Sec. 203. Tenant protections.

410 (a) Section 312(a) and (b)(2) of the COVID Response Emergency Amendment Act of
411 2020, effective March 17, 2020 (D.C. Act 23-247; 67 DCR 3093), is repealed.

412 (b) The Rental Housing Conversion and Sale Act of 1980, effective September 10, 1980
413 (D.C. Law 3-86, D.C. Official Code § 42-3401.01 *et seq.*), is amended by adding a new section
414 514 to read as follows:

415 “Sec. 514. Tolling of tenant deadlines during a public health emergency.

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

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

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

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

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

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

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

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

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

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

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

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

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

446 the tenant shall have the same number of days to vacate remaining at the end of the public health
447 emergency as the tenant had remaining upon the effective date of the public health emergency.”.

448 (4) Section 904 D.C. Official Code § 42-3509.04) is amended by adding a new
449 subsection (c) to read as follows:

450 “(c) Any rent increase, whether under this chapter, the Rental Accommodations Act of
451 1975, the Rental Housing Act of 1977, the Rental Housing Act of 1980, or any administrative
452 decisions issued under these acts, shall be null and void if:

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

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

459 “(3) The notice was provided to the tenant prior to, but takes effect following, a
460 public health emergency.”.

461 (5) A new section 910 is added to read as follows:

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

463 “The running of all time periods for tenants and tenant organizations to exercise rights
464 under this act or under chapters 38 through 43 of Title 14 of the District of Columbia Municipal
465 Regulations (14 DCMR §§ 3800 to 4399), shall be tolled during a period for which a public
466 health emergency has been declared pursuant to section 5a of the District of Columbia Public
467 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
468 2304.01), and for 30 days thereafter.”.

469 (d) Notwithstanding any other provision of law, a rent increase for a residential property
470 not prohibited by the provisions of Section 904(c) of the Rental Housing Act of 1985, effective
471 July 17, 1985 (D.C. Law 6-10; D.C. Official Code D.C. Official Code § 42-3509.04(c)), shall be
472 prohibited during a period for which a public health emergency has been declared pursuant to
473 section 5a of the District of Columbia Public Emergency Act of 1980, effective .October 17,
474 2002 (D.C. Law 14-194, D.C. Official Code § 7-2304.01), and for 30 days thereafter.

475 Sec. 204. Utilities.

476 (a) A cable operator, as that term is defined by section 103(6) of the Cable Television
477 Communications Act of 1981 effective August 21, 1982 (D.C. Law 4-142; D.C. Official Code §
478 34-1251.03(6)), shall not disconnect, suspend or degrade basic cable service or other cable
479 operator services for non-payment of a bill, any fees for service or equipment, or any other
480 charges, or for noncompliance with a deferred payment agreement during a period of time for
481 which the Mayor has declared a public health emergency pursuant to section 5a of the District of
482 Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C.
483 Official Code § 7-2304.01) or for 15 calendar days thereafter. For purposes of this subsection,
484 the term “other cable operator services” only includes broadband internet service and VOIP
485 service.”.

486 (b) The Telecommunications Competition Act of 1996, effective September 9, 1996
487 (D.C. Law 11-154; D.C. Official Code § 34-2002.01 *et. seq.*), is amended to add a new section
488 3a to read as follows:

489 “Section 3a. Disconnection of telecommunications service during a public health
490 emergency prohibited.

491 “(a) For the purposes of this section, the term “public health emergency” means a period
492 of time for which the Mayor has declared a public health emergency pursuant to section 5a of the
493 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
494 194; D.C. Official Code § 7-2304.01).

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

499 (c) Notwithstanding any District law, the Attorney General may use the enforcement
500 authority set forth at D.C. Official Code § 28-3909 against any merchant, including a utility
501 provider, that violates any provisions of this act, the COVID-19 Response Emergency
502 Amendment Act of 2020, effective March 17, 2020 (D.C. Act 23-247; 67 DCR 3093), or the
503 COVID-19 Supplemental Response Temporary Amendment Act of 2020, passed on 1st reading
504 on April 7, 2020 (Engrossed version of Bill 23-X).

505 (d) Section 113a(c) of the District Department of the Environment Establishment Act of
506 2005, effective September 11, 2019 (D.C. Law 23-16, D.C. Official Code § 8-151.13a(c)), is
507 amended as follows:

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

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

510 “(2) Notwithstanding paragraph (1) of this subsection, during a period of time for
511 which the Mayor has declared a public health emergency (“PHE”) pursuant to section 5a of the
512 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
513 194; D.C. Official Code § 7-2304.01) and for 105 calendar days thereafter, money in the Fund

514 may be used to assist low-income residential customers located in the District of Columbia with
515 the payment of an outstanding water bill balance; except, that not less than \$1,260,000 of
516 funding allocated in the fiscal year in which the PHE occurs shall be reserved to assist nonprofit
517 organizations located in the District with the payment of impervious area charges, pursuant to
518 section 216b(a) of the Water and Sewer Authority Rate Establishment and Department of Public
519 Works Reorganization Act of 1996, effective October 30, 2018 (D.C. Law 22-168; D.C. Official
520 Code § 34-2202.16b(a) and not less than \$360,000 of funding allocated in the fiscal year in
521 which the PHE occurs shall be reserved to assist residential customers with the payment of
522 impervious area charges, pursuant to section 216b(b).”.

523 Sec. 205. Certified Business Enterprise assistance.

524 (a) Notwithstanding the Small and Certified Business Enterprise Development and
525 Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-
526 218.01 *et. seq.*) (“CBE Act”), or any other provision of District law or regulation, during the
527 period of the COVID-19 emergency, any contract for a government-assisted project in excess of
528 \$250, 000 that are unrelated to the District’s response to the COVID-19 emergency but entered
529 into during the COVID-19 emergency, absent a waiver pursuant to section 2351 of the CBE Act,
530 shall provide that:

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

533 (B) If there are insufficient qualified small business enterprises to meet the
534 requirement of subparagraph (A) of this paragraph, the subcontracting requirement may be
535 satisfied by subcontracting 50% of the dollar volume (CBE minimum expenditure) to any
536 qualified certified business enterprises; provided, that best efforts shall be made to ensure that

537 qualified small business enterprises are significant participants in the overall subcontracting
538 work.

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

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

543 (3) For every dollar expended by a beneficiary that uses a company designated as
544 both a DBE under section 2333 of the CBE Act and as a ROB under section 2303(15) of the
545 CBE Act shall receive a maximum credit for \$1.30 against the CBE minimum expenditure.

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

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

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

551 (3) "COVID-19 emergency" means the emergencies declared in the Declaration
552 of Public Emergency (Mayor's Order 2020-045) together with the Declaration of Public Health
553 Emergency (Mayor's Order 2020-046), declared on March 11, 2020, including any extension of
554 those declared emergencies.

555 (4) "Disadvantaged business enterprise" has the same meaning as defined in
556 section 2333 of the CBE Act (D.C. Official Code § 2-218.33).

557 (5) "Government-assisted project" has the same meaning as defined in section
558 2302(9A) of the CBE Act (D.C. Official Code § 2-218.02(9A)).

559 (6) “Longtime resident business” has the same meaning as defined in section
560 2302(13) of the CBE Act (D.C. Official Code § 2-218.02(13)).

561 (7) “Resident owned business” has the same meaning as defined in section
562 2302(15) of the CBE Act (D.C. Official Code § 2-218.02(15)).

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

565 (d) Contracts entered into on an emergency basis or that are made in furtherance of, or that
566 are related to, the District’s response to the COVID-19 emergency shall not be subject to the
567 requirements of the Small and Certified Business Enterprise Development and Assistance Act of
568 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Code § 2-218.01 *et seq.*) or the First Source
569 Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code §
570 2-219.01 *et seq.*).

571 Sec. 206. Funeral services consumer protection.

572 (a) The District of Columbia Funeral Services Regulatory Act of 1984, effective May 22,
573 1984 (D.C. Law 5-84; D.C. Official Code § 3-401 *et seq.*), is amended by adding a new section
574 4a to read as follows:

575 “Sec. 4a. For the period of time for which the Mayor has declared a public health
576 emergency (“PHE”) pursuant to section 5a of the District of Columbia Public Emergency Act of
577 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), there shall
578 be a Funeral Bill of Rights designed to inform consumers of required pricing disclosures and
579 other available consumer rights. The Department of Consumer and Regulatory Affairs, in
580 consultation with the Board of Funeral Directors and the Attorney General of the District of
581 Columbia, shall write the Funeral Bill of Rights which shall be published in the District of

582 Columbia Register no later than May 8, 2020. Should this not occur on or before May 1, 2020,
583 the Attorney General may write the Funeral Bill of Rights and they shall be published in the
584 District of Columbia Register no later than May 15, 2020.

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

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

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

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

591 “(ll) violate any provision of section 3013 of Title 17 of the District of Columbia
592 Municipal Regulations (17 DCMR § 3013); or”

593 “(mm) violate any provision of section 3117 of Title 17 of the District of Columbia
594 Municipal Regulations (17 DCMR § 3117).”.

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

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

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

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

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

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

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

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

615 “(28) Failing to clearly and conspicuously post the Funeral Bill of Rights, as
616 specified in section 4a of the District of Columbia Funeral Services Regulatory Act of 1984,
617 passed on emergency basis on April 7, 2020 (Enrolled version of Bill 23-X), on any websites
618 maintained by the applicant or licensee; or

619 “(29) Failing to provide to any customer the Funeral Bill of Rights, as specified in
620 section 4a of the District of Columbia Funeral Services Regulatory Act of 1984, passed on
621 emergency basis on April 7, 2020 (Enrolled version of Bill 23-X), during an initial meeting to
622 discuss or make arrangements for the purchase of funeral goods or services.”.

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

625 “3110.9 A funeral services establishment shall keep and retain records documenting any
626 required disclosures to consumers, including disclosure of its General Price List, Casket Price

627 List, an Outer Burial Container Price List, and the Funeral Bill of Rights signed by the consumer,
628 as specified in section 4a of the District of Columbia Funeral Services Regulatory Act of 1984,
629 passed on emergency basis on April 7, 2020 (Enrolled version of Bill 23-X), after the completion
630 or termination of a funeral contract.”.

631 Sec. 207. Debt collection.

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

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

634 (1) New paragraphs (1B) and (1C) are added to read as follows:

635 “(1B) “collection lawsuit” means any legal proceeding, including
636 civil actions, statements of small claims, and supplementary process actions, commenced in any
637 court for the purpose of collecting any debt or other past due balance owed or alleged to be
638 owed.

639 “(1C) “debt” means money or its equivalent which is, or is alleged to be, more
640 than 30 days past due and owing, unless a different period is agreed to by the debtor, under a
641 single account as a result of a purchase, lease, or loan of goods, services, or real or personal
642 property, for personal, family or household purposes or as a result of a loan of money which is
643 obtained for personal, family or household purposes whether or not the obligation has been
644 reduced to judgment.”.

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

646 “(4) public health emergency” means a period of time for which the Mayor has
647 declared a public health emergency pursuant to either section 5a of the District of Columbia
648 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official

649 Code § 7-2304.01), or the Natural Disaster Consumer Protection Act, effective March 20, 1992
650 (D.C. Law 9-80; D.C. Official Code § 28-4102).”.

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

652 “(l)(1) Notwithstanding subsection (a) of this section, this subsection shall apply to loans
653 directly secured on motor vehicles or direct motor vehicle installment loans covered by chapter
654 36 of Title 28.

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

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

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

661 “(C) Initiate, threaten to initiate, or act upon any statutory remedy for the
662 repossession of any vehicle, provided that creditors or debt collectors may accept collateral that
663 is voluntarily surrendered; or

664 “(D) Visit or threaten to visit the household of a debtor at any time;

665 “(E) Visit or threaten to visit the place of employment of a debtor at any
666 time for the purpose of collecting a debt; or

667 “(F) Confront or communicate in person with a debtor regarding the
668 collection of a debt in any public place at any time.

669 “(3) This subsection shall not apply to collecting or attempting to collect a debt
670 that is, or is alleged to be, owed on a loan secured by a mortgage on real property.

671 “(m)(1) During a public health emergency and for 60 days after its conclusion, no debt
672 collector shall initiate any communication with any debtor via any written or electronic
673 communication, including email or text message, or telephone, provided that a debt collector
674 shall not be deemed to have initiated a communication with a debtor if the communication by the
675 debt collector is in response to a request made by the debtor for said communication.

676 “(2) This subsection shall not apply to communications initiated solely for the
677 purpose of informing a debtor of a rescheduled court appearance date or discussing a mutually
678 convenient date for a rescheduled court appearance;

679 “(3) This subsection shall not apply to original creditors collecting or attempting
680 to collect their own debt, nor shall it apply to collecting or attempting to collect a debt which is,
681 or is alleged to be, owed on a loan secured by a mortgage on real property.

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

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

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

687 “(3) Supersede any obligation under the District of Columbia Rules of
688 Professional Conduct, to the extent of any inconsistency.”.

689 Sec. 208. Carry out and delivery.

690 (a) Section 203 of the COVID-19 Response Emergency Amendment Act of 2020,
691 effective March 17, 2020 (D.C. Act 23-247; 67 DCR 3093), is repealed.

692 (b) Chapter 1 of Title 25 of the District of Columbia Official Code is amended as follows:

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

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

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

704 (2) Section 25-113(a)(3)(C) is amended to read as follows:

705 “(C) An on-premises retailer’s licensee, class C/R, D/R, C/T, D/T, C/H,
706 D/H, C/X, or D/X, including a multipurpose facility or private club, that registers with the Board
707 may sell beer, wine, or spirits in closed containers to individuals for carry out to their home, or
708 deliver beer, wine, or spirits in closed containers to the homes of District residents; provided, that
709 each such carry out or delivery order is accompanied by one or more prepared food items. Board
710 approval shall not be required for a registration under this subparagraph; however, the licensee
711 shall receive written authorization from ABRA prior to beginning carry out or delivery of beer,
712 wine, or spirits pursuant to this subparagraph.”.

713 Sec. 209. Opportunity accounts expanded use.

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

716 (a) Section 2 (D.C. Official Code § 1-307.61) is amended by adding a new paragraph

717 (2A) to read as follows:

718 “(2A) “Commissioner” means the Commissioner of the Department of Insurance,
719 Securities, and Banking.”

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

721 (1) Subsection (a) is amended by striking the figure “\$2” and inserting the figure
722 “\$1” in its place.

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

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

726 (B) Paragraph (1) is amended by:

727 (i) Striking the phrase “in at least the same amount” and inserting
728 the phrase “consistent with subsection (a) of this section” in its place.

729 (ii) Striking the phrase “and” and inserting a semicolon in its place.

730 (C) Paragraph (2) is amended by:

731 (i) Striking the phrase “than \$3,000” and inserting the phrase “than
732 \$6,000” in its place; and

733 (ii) Striking the period and inserting the phrase “; and” in its place.

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

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

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

740 (1) Paragraph (6) is repealed.

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

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

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

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

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

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

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

752 (C) A new paragraph (4) is inserted to read as follows:

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

755 (2) Subsection (c) is amended by striking the phrase “An account holder” and
756 inserting the phrase “Except during a period of time for which the Mayor has declared a public
757 health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of
758 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), an
759 account holder.

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

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

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

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

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

772 “(e) An account holder shall not be required to repay funds withdrawn from the
773 opportunity account for an emergency withdrawal but must resume making deposits into the
774 opportunity account no later than 90 days after the emergency withdrawal. If the account holder
775 fails to make a deposit no later than 90 days after the emergency withdrawal:”.

776 Sec. 210. Contractor advance payment.

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

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

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

783 “(a-1) During a period of time for which the Mayor has declared a public health
784 emergency (“PHE”) pursuant to section 5a of the District of Columbia Public Emergency Act of
785 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), an agency
786 may make advance payments to a certified contractor for purchases related to the PHE when the
787 payments are necessary to achieve the purposes of this subtitle and may provide an advance of
788 more than 10% of the total value of the contract.

789 Sec. 211. Vacant property designations.

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

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

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

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

798 “(10) A commercial property that houses a business that has closed during a
799 period of time for which the Mayor has declared a public health emergency pursuant to section
800 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
801 Law 14- 194; D.C. Official Code§ 7-2304.01), as a result of the circumstances giving rise to or
802 resulting from the public health emergency, and for 60 days thereafter.”.

803 Sec. 212. Franchise tax exclusion.

804 D.C. Official Code § 47-1803.02(a)(2) is amended by adding a new subparagraph (GG)
805 to read as follows:

806 “(GG) Small business loans awarded and subsequently forgiven under
807 section 1106 of the Coronavirus Aid, Relief, and Economic Security Act, approved March 27,
808 2020 (Pub. L. No. 116-136; 134 Stat. 281) (“CARES Act”).”

809 **TITLE III. JUDICIARY AND PUBLIC SAFETY.**

810 Sec. 301. Police Complaints Board investigation extension.

811 Section 5(d-3) of the Office of Citizen Complaint Review Establishment Act of 1998,
812 effective March 26, 1999 (D.C. Law 12-208; D.C. Official Code § 5-1104(d-3)), is amended
813 as follows:

814 (a) Paragraph (1) is amended by striking the phrase “January 1, 2017, through December
815 31, 2019” and inserting the phrase “August 1, 2019, through January 31, 2020” in its place.

816 (b) Paragraph (2) is amended by striking the date “April 30, 2021” and inserting the date
817 “September 30, 2021” in its place.

818 Sec. 302. FEMS reassignments.

819 Section 212 of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law
820 2-38; D.C. Official Code § 2-1402.12), is amended by adding a new subsection (c) to read as
821 follows:

822 “(c) It shall not be an unlawful discriminatory practice for the Mayor to reassign
823 personnel of the Fire and Emergency Medical Services Department from firefighting and
824 emergency medical services operations during a period of time for which a public health
825 emergency has been declared pursuant to section 5a of the District of Columbia Public
826 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
827 2304.01), based upon the inability of the personnel to wear personal protective equipment in a
828 manner consistent with medical and health guidelines.”

829 Sec. 303. Civil rights enforcement.

830 The Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C.
831 Official Code § 2-1401.01 *et seq.*), is amended by adding a new section 316a to read as follows:

832 “Sec. 316a. Civil actions by the Attorney General.

833 “During a period of time for which the Mayor has declared a public health emergency
834 (“PHE”) pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
835 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), in a civil action
836 initiated by the Attorney General for violations of this act, or a civil action arising in connection
837 with the public health emergency, other than an action brought pursuant to section 307:

838 “(1) The Attorney General may obtain:

839 “(A) Injunctive relief, as described in section 307;

840 “(B) Civil penalties, up to the amounts described in section 313(a)(1)(E-1)
841 for each action or practice in violation of this act, and, in the context of a discriminatory
842 advertisement, for each day the advertisement was posted; and

843 “(C) Any other form of relief described in section 313(a)(1); and

844 “(2) The Attorney General may seek subpoenas for the production of documents
845 and materials or for the attendance and testimony of witnesses under oath, or both, which shall
846 contain the information described in section 108d(b) of the Attorney General for the District of
847 Columbia Clarification and Elected Term Amendment Act of 2010, effective October 22, 2015
848 (D.C. Law 21-36; D.C. Official Code § 1-301.88d(b)) (“Act”), and shall follow the procedures
849 described in section 108d(c), (d), and (e) of the Act (D.C. Official Code § 1-301.88d(c), (d), and
850 (e)); provided, the subpoenas are not directed to a District government official or entity.”.

851 Sec. 304. Extension of time for non-custodial arrestees to report.

852 Section 23-501(4) of the District of Columbia Official Code is amended by striking the
853 period and inserting the phrase “; provided, that for non-custodial arrests conducted during a
854 period of time for which the Mayor has declared a public health emergency pursuant to section
855 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
856 Law 14-194; D.C. Official Code § 7-2304.01), the person shall appear before an official of the
857 relevant law enforcement agency to complete the arrest process within 90 days after the non-
858 custodial arrest was conducted.” in its place.

859 Sec. 305. Good time credits and compassionate release.

860 An Act To establish a Board of Indeterminate Sentence and Parole for the District of
861 Columbia and to determine its functions, and for other purposes, approved July 15, 1932 (47
862 Stat. 697; D.C. Official Code § 24-403 et seq.), is amended as follows:

863 (a) A new section 3a-i is added to read as follows:

864 “Sec. 3a-i. Good time credit for felony offenses committed before August 5, 2000.

865 “(a)(1) Notwithstanding any other provision of law, a defendant who is serving a term of
866 imprisonment for an offense committed between June 22, 1994, and August 4, 2000, shall be
867 retroactively awarded good time credit toward the service of the defendant’s sentence of up to 54
868 days for each year of the defendant’s sentence imposed by the court, subject to determination by
869 the Bureau of Prisons that during those years the defendant has met the conditions provided in 18
870 U.S.C. § 3624(b).

871 “(2) An award of good time credit pursuant to paragraph (1) of this subsection
872 shall apply to the minimum and maximum term of incarceration, including the mandatory
873 minimum; provided, that in the event of a maximum term of life, only the minimum term shall
874 receive good time.

875 “(b)(1) Notwithstanding any other provision of law, a defendant who is serving a term of
876 imprisonment for an offense committed before June 22, 1994, shall be retroactively awarded
877 good time credit toward the service of the defendant’s sentence of up to 54 days for each year of
878 the defendant’s sentence imposed by the court, subject to determination by the Bureau of Prisons
879 that during those years the defendant has met the conditions provided in 18 U.S.C. § 3624(b).

880 “(2) An award of good time credit pursuant to paragraph (1) of this subsection:

881 “(A) Shall apply to any mandatory minimum term of incarceration; and

882 “(B) Is not intended to modify how the defendant is awarded good time
883 credit toward any portion of the sentence other than the mandatory minimum.”.

884 (b) A new section 3d is added to read as follows:

885 “Sec. 3d. Motions for compassionate release for individuals convicted of felony offenses.

886 “(a) Notwithstanding any other provision of law, the court may modify a term of
887 imprisonment imposed upon a defendant if it determines the defendant is not a danger to the
888 safety of any other person or the community, pursuant to the factors to be considered in 18
889 U.S.C. §§ 3142(g) and 3553(a) and evidence of the defendant's rehabilitation while incarcerated,
890 and:

891 “(1) The defendant has a terminal illness, which means a disease or condition with
892 an end-of-life trajectory;

893 “(2) The defendant is 60 years of age or older and has served at least 25 years in
894 prison; or

895 “(3) Other extraordinary and compelling reasons warrant such a modification,
896 including:

897 “(A) A debilitating medical condition involving an incurable, progressive
898 illness, or a debilitating injury from which the defendant will not recover;

899 “(B) Elderly age, defined as a defendant who is:

900 “(i) 60 years of age or older;

901 “(ii) Has served at least 20 years in prison or has served the greater
902 of 10 years or 75% of their sentence; and

903 “(iii) Suffers from a chronic or serious medical condition related to
904 the aging process or that causes an acute vulnerability to severe medical complications or death
905 as a result of COVID-19;

906 “(C) Death or incapacitation of the family member caregiver of the
907 defendant’s children; or

908 “(D) Incapacitation of a spouse or a domestic partner when the defendant
909 would be the only available caregiver for the spouse or domestic partner.

910 “(b) Motions brought pursuant to this section may be brought by the U.S. Attorney’s
911 Office for the District of Columbia, the Bureau of Prisons, the United States Parole Commission,
912 or the defendant.

913 “(c) Although a hearing is not required, in order to provide for timely review of a motion
914 made pursuant to this section and at the request of counsel for the defendant, the court may
915 waive the appearance of a defendant currently held in the custody of the Bureau of Prisons.”. (a)
916 Notwithstanding any other provision of law, a defendant who is serving a term of imprisonment
917 for an offense committed before August 5, 2000 shall be retroactively awarded good time credit
918 for the time the defendant has served on the offense for which the sentence was imposed, in the

919 amount of up to 54 days per year, subject to determination by the Bureau of Prisons as provided
920 in 18 U.S.C. § 3624(b).

921 “(b)(1) Except as provided in paragraph (2) of this subsection, good time credit awarded
922 pursuant to subsection (a) of this section shall be applied toward the minimum term and
923 maximum term and to any mandatory minimum term of incarceration.

924 “(2) In the event of a maximum term of life, only the minimum term shall receive
925 retroactive good time credit pursuant to paragraph (1) of this subsection.”.

926 (b) A new section 3d is added to read as follows:

927 “Sec. 3d. Motions for compassionate release for individuals convicted of felony offenses.

928 “(a) The court may modify a term of imprisonment imposed upon a defendant if it
929 determines the defendant is not a danger to the safety of any other person or the community,
930 pursuant to the factors to be considered in 18 U.S.C. § 3142(g) and evidence of the defendant's
931 rehabilitation while incarcerated, and:

932 “(1) The defendant has a terminal illness, which means a disease or condition with
933 an end-of-life trajectory;

934 “(2) The defendant is 60 years of age or older and has served at least 25 years in
935 prison; or

936 “(3) Other extraordinary and compelling reasons warrant such a modification,
937 including:

938 “(A) A debilitating medical condition involving an incurable, progressive
939 illness, or a debilitating injury from which the defendant will not recover;

940 “(B) Elderly age, defined as a defendant who is:

941 “(i) 60 years of age or older;

942 “(ii) Has served at least 20 years in prison or has served the greater
943 of 10 years or 75% of their sentence; and

944 “(iii) Suffers from a chronic or serious medical condition related to
945 the aging process or that causes an acute vulnerability to severe medical complications or death
946 as a result of COVID-19.

947 “(C) Death or incapacitation of the family member caregiver of the
948 defendant’s children; or

949 “(D) Incapacitation of a spouse or a domestic partner when the defendant
950 would be the only available caregiver for the spouse or domestic partner.

951 “(b) Motions brought pursuant to this section may be brought by the Bureau of Prisons,
952 the United States Parole Commission, or the defendant.

953 “(c) In order to provide for timely review of a motion made pursuant to this section and at
954 the request of counsel for the defendant, the court may waive the appearance of a defendant
955 currently in the custody of the Bureau of Prisons.”.

956 Sec. 306. Electronic wills.

957 Chapter 1 of Title 18 of the District of Columbia Official Code is amended as follows:

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

960 “18-813. Electronic wills.”.

961 (b) Section 18-103(2) (D.C. Official Code § 18-103(2)) is amended by striking the phrase
962 “in the presence of the testator” and inserting the phrase “in the presence or, during a period of
963 time for which the Mayor has declared a public health emergency pursuant to section 5a of the
964 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-

965 194; D.C. Official Code § 7-2304.01), the electronic presence, as defined in § 18-813(a)(2), of
966 the testator” in its place.

967 (c) A new section 18-813 is added to read as follows:

968 “§ 18-813. Electronic wills.

969 “(a) Definitions.

970 “For the purposes of this section, the term:

971 “(1) “Electronic” means relating to technology having electrical, digital,
972 magnetic, wireless, optical, electromagnetic, or similar capabilities.

973 “(2) “Electronic presence” means when one or more witnesses are in a different
974 physical location than the testator but can observe and communicate with the testator and one
975 another to the same extent as if the witnesses and testator were physically present with one
976 another.

977 “(3) “Electronic will” means a will or codicil executed by electronic means.

978 “(4) “Record” means information that is inscribed on a tangible medium or that is
979 stored in an electronic medium and is retrievable in perceivable form.

980 “(5) “Sign” means, with present intent to authenticate or adopt a record, to:

981 “(A) Execute or adopt a tangible symbol; or

982 “(B) Affix to or associate with the record an electronic signature.

983 “(b)(1) A validly executed electronic will shall be a record that is:

984 “(A) Readable as text at the time of signing pursuant to subparagraph (B);

985 “(B) Signed:

986 “(i) By the testator, or by another person in the testator’s physical
987 presence and by the testator’s express direction; and

988 “(ii) In the physical or electronic presence of the testator by at least
989 two credible witnesses, each of whom is physically located in the United States at the time of
990 signing.

991 “(2) In order for the electronic will to be admitted to the Probate Court, the
992 testator, a witness to the will, or an attorney admitted to practice in the District of Columbia who
993 supervised the execution of the electronic will, shall certify a paper copy of the electronic will by
994 affirming under penalty of perjury that:

995 “(A) The paper copy of the electronic will is a complete, true, and accurate
996 copy of the electronic will; and

997 “(B) The conditions in subparagraph (A) were satisfied at the time the
998 electronic will was signed.

999 “(3) Except as provided in subsection (c), a certified paper copy of an electronic
1000 will shall be deemed to be the electronic will of the testator for all purposes under this title.

1001 “(c)(1) An electronic will may revoke all or part of a previous will or electronic will.

1002 “(2) An electronic will, or a part thereof, is revoked by:

1003 “(A) A subsequent will or electronic will that revokes the electronic will,
1004 or a part thereof, expressly or by inconsistency; or

1005 “(B) A direct physical act cancelling the electronic will, or a part thereof,
1006 with the intention of revoking it, by the testator or a person in the testator’s physical presence
1007 and by the testator’s express direction and consent.

1008 “(3) After it is revoked, an electronic will, or a part thereof, may not be revived
1009 other than by its re-execution, or by a codicil executed as provided in the case of wills or

1010 electronic wills, and then only to the extent to which an intention to revive is shown in the
1011 codicil.

1012 “(d) An electronic will not in compliance with subsection (b)(1) is valid if executed in
1013 compliance with the law of the jurisdiction where the testator is:

1014 “(1) Physically located when the electronic will is signed; or

1015 “(2) Domiciled or resides when the electronic will is signed or when the testator
1016 dies.

1017 “(e) Except as otherwise provided in this section:

1018 “(1) An electronic will is a will for all purposes under the laws of the District of
1019 Columbia; and

1020 “(2) The laws of the District of Columbia applicable to wills and principles of
1021 equity apply to an electronic will.

1022 “(f) This section shall apply to electronic wills made during a period of time for which
1023 the Mayor has declared a public health emergency pursuant to section 5a of the District of
1024 Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C.
1025 Official Code § 7-2304.01).”.

1026 **TITLE IV. HEALTH AND HUMAN SERVICES.**

1027 Sec. 401. Public health emergency.

1028 (a) Section 301(b) of the COVID-19 Response Emergency Amendment Act of 2020,
1029 effective March 17, 2020 (D.C. Act 23-247; 67 DCR 3093), amending section 7 of the District of
1030 Columbia Public Emergency Act of 1980, effective March 5, 1981 (D.C. Law 3-149; D.C.
1031 Official Code § 7-2306), is repealed. (b) The District of Columbia Public Emergency Act of

1032 1980, effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2301 *et seq.*), is
1033 amended as follows:

1034 (1) Section 5a(d) (D.C. Official Code § 7-2304.01(d)(3)) is amended as follows:

1035 (A) Paragraph (3) is amended by striking the phrase “; and” and inserting
1036 a semicolon in its place.

1037 (B) A new paragraph (3A) to read as follows:

1038 “(3A) Exempt any person, employee of the District of Columbia not otherwise
1039 exempt under existing law, or contractor providing services arising out of a contract with the
1040 District of Columbia from civil liability for damages for actions taken while acting within the
1041 scope of their employment or organization’s purpose, voluntary service, or scope of work to
1042 implement the provisions of the District of Columbia response plan and of An Act To authorize
1043 the Commissioners of the District of Columbia to make regulations to prevent and control the
1044 spread of communicable and preventable diseases, approved August 11, 1939 (53 Stat. 1408;
1045 D.C. Official Code § 7-131 *et seq.*), except in instances of gross negligence, and solely for
1046 actions taken during the public health emergency; and”

1047 (2) Section 7 (D.C. Official Code § 7-2306) is amended by adding a new
1048 subsection (c-1) to read as follows:

1049 “(c-1) Notwithstanding subsections (b) and (c) of this section, the Council authorizes the
1050 Mayor to extend the 15-day March 11, 2020, emergency executive order and public health
1051 emergency executive order (“emergency orders”) issued in response to the coronavirus (COVID-
1052 19) for an additional 90-day period. After the additional 90-day extension authorized by this
1053 subsection, the Mayor may extend the emergency orders for additional 15-day periods pursuant
1054 to subsection (b) or (c) of this subsection.”.

1055 Sec. 402. Extension of care and custody for aged-out youth.

1056 (a) Section 303(a-1) of the Prevention of Child Abuse and Neglect Act of 1977, effective
1057 April 4, 2001 (D.C. Law 13-277; D.C. Official Code § 4-1303.03(a-1)), is amended as follows:

1058 (1) Paragraph (12) is amended by striking the phrase “; and” and inserting a
1059 semicolon in its place.

1060 (2) Paragraph (13) is amended by striking the period and inserting the phrase “;
1061 and” in its place.

1062 (3) A new paragraph (14) is added to read as follows:

1063 “(14) To retain custody of a youth committed to the Agency who becomes 21
1064 years of age during a period of time for which the Mayor has declared a public health emergency
1065 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
1066 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), for a period not
1067 exceeding 90 days after the end of the public health emergency, provided that the youth consents
1068 to the Agency’s continued custody .”.

1069 (b) Chapter 23 of Title 16 of the District of Columbia Official Code is amended as
1070 follows:

1071 (1) Section 16-2303 is amended as follows:

1072 (A) The existing text is designated as subsection (a).

1073 (B) A new subsection (b) is added to read as follows:

1074 “(b) The Division shall retain jurisdiction of a minor in the legal custody of a public
1075 agency pursuant to § 16-2320(a)(1)(3)(A) who becomes 21 years of age during a period of time
1076 for which the Mayor has declared a public health emergency pursuant to section 5a of the
1077 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-

1078 194; D.C. Official Code § 7-2304.01), for a period not exceeding 90 days after the end of the
1079 public health emergency, provided that the minor consents to the retention of jurisdiction.”.

1080 (2) Section 16-2322(f)(1) is amended by striking the phrase “of age” and inserting
1081 the phrase “of age, except orders extended pursuant to § 16-2303(b)” in its place.

1082 Sec. 403. Hospital support funding.

1083 (a) The Mayor may, notwithstanding the Grant Administration Act of 2013, effective
1084 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), and in the Mayor’s
1085 sole discretion, issue a grant to an eligible hospital; provided, that the eligible hospital submits a
1086 grant application in the form and with the information required by the Mayor.

1087 (b) The amount of a grant issued to a hospital shall be based on:

1088 (1) An allocation formula based on the number of beds at the hospital; or

1089 (2) Such other method or formula, as established by the Mayor, that addresses the
1090 impacts of COVID-19 on hospitals.

1091 (c) A grant issued pursuant to this section may be expended by the hospital for:

1092 (1) Supplies and equipment related to COVID-19, including personal protective
1093 equipment, sanitization and cleaning products, medical supplies and equipment, and testing
1094 supplies and equipment;

1095 (2) Personnel costs incurred to respond to COVID-19, including the costs of
1096 contract staff; and

1097 (3) Costs of constructing and operating temporary structures to test individuals for
1098 COVID-19 or to treat patients with COVID-19.

1099 (d) The Mayor may issue one or more grants to a third-party grant-managing entity for
1100 the purpose of administering the grant program authorized by this section and making subgrants
1101 on behalf of the Mayor in accordance with the requirements of this section.

1102 (e) The Mayor shall maintain a list of all grants awarded pursuant to this section,
1103 identifying for each award the grant recipient, the date of award, intended use of the award, and
1104 the award amount. The Mayor shall publish the list online no later than July 1, 2020, or 30 days
1105 after the end of the COVID-19 emergency, whichever is earlier.

1106 (f) The Mayor, pursuant to section 105 of the District of Columbia Administrative
1107 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-505), may
1108 issue rules to implement the provisions of this section.

1109 (g) For the purposes of this section, the term:

1110 (1) “COVID-19 emergency” means the emergencies declared in the Declaration
1111 of Public Emergency (Mayor’s Order 2020-045) and the Declaration of Public Health
1112 Emergency (Mayor’s Order 2020-46), declared on March 11, 2020, including any extension of
1113 those emergencies.

1114 (2) “Eligible hospital” means a non-profit or for-profit hospital located in the
1115 District.

1116 **TITLE V. GOVERNMENT DIRECTION AND SUPPORT.**

1117 Sec. 501. Tolling of matters transmitted to the Council.

1118 (a) Section 502(c) of the COVID-19 Response Emergency Amendment Act of 2020,
1119 effective March 17, 2020 (D.C. Act 23-247; 67 DCR 3093), is amended by striking the phrase
1120 “section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C.

1121 Official Code § 1-523.01),” and inserting the phrase “section 2(a) of the Confirmation Act of
1122 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(a))” in its place.

1123 (b) Section 603(b)(1) of the COVID-19 Response Emergency Amendment Act of 2020,
1124 effective March 17, 2020 (D.C. Act 23-247; 67 DCR 3093), is amended by striking the phrase
1125 “48 hours” and inserting the phrase “2 business days” in its place.

1126 (c) Section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142;
1127 D.C. Official Code § 1-523.01), is amended as follows:

1128 (1) Subsection (c) is amended by striking the phrase “180 days” and inserting the
1129 phrase “180 days, excluding days occurring during a period of time for which the Mayor has
1130 declared a public health emergency pursuant to section 5a of the District of Columbia Public
1131 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
1132 2304.01),” in its place

1133 (2) Subsection (e) is amended by striking the phrase “excluding days of Council
1134 recess” and inserting the phrase “excluding days of Council recess and days occurring during a
1135 period of time for which the Mayor has declared a public health emergency pursuant to section
1136 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
1137 Law 14-194; D.C. Official Code § 7-2304.01)” in its place.

1138 (4) Subsection (f) is amended by striking the phrase “Council shall have an
1139 additional 45 days, excluding days of Council recess,” and inserting the phrase “Council shall
1140 have an additional 45 days, excluding days of Council recess and days occurring during a period
1141 of time for which the Mayor has declared a public health emergency pursuant to section 5a of the
1142 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1143 194; D.C. Official Code § 7-2304.01)” in its place.

1144 (d) Notwithstanding any provision of law, during a period time for which the Mayor has
1145 declared a public health emergency pursuant to section 5a of the District of Columbia Public
1146 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
1147 2304.01), the review period for any matter transmitted to the Council for approval or
1148 disapproval, other than nominations transmitted in accordance with section 2 of the Confirmation
1149 Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), contract
1150 approvals, or reprogrammings transmitted in accordance with section 4 of the Reprogramming
1151 Policy Act of 1980, effective September 16, 1980 (D.C. Law 3-100; D.C. Official Code § 47-
1152 363), shall be tolled if not inconsistent with the District of Columbia Home Rule Act, approved
1153 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

1154 Sec. 502. Council Code of Conduct.

1155 The Council of the District of Columbia, Code of Official Conduct, Council Period 23,
1156 effective January 2, 2019 (Res. 23-1; 66 DCR 272), is amended as follows:

1157 (a) Rule VI(c) is amended by adding a new paragraph (5) to read as follows:

1158 “(5) Notwithstanding any other rule, during a period of time for which the Mayor
1159 has declared a public health emergency pursuant to section 5a of the District of Columbia Public
1160 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
1161 2304.01), a Councilmember may disseminate information about, and connect constituents with,
1162 services and offers, including from for-profit entities, that the Councilmember determines is in
1163 the public interest in light of the public health emergency.”.

1164 (b) Rule X(f)(1)(C) is amended by striking the phrase “The proposed” and inserting the
1165 phrase “Unless the electronic newsletter exclusively contains information relating to a declared
1166 public health emergency, the proposed” in its place.

1167 Sec. 503. Advisory neighborhood commissions.

1168 The Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C.
1169 Law 1-58; D.C. Official Code § 1-309.01 *et seq.*), is amended as follows:

1170 (a) Section 8 (D.C. Official Code § 1-309.06), is amended as follows:

1171 (1) Subsection (d) is amended as follows:

1172 (A) Paragraph (1) is amended by striking the phrase “prior to a general
1173 election” wherever it occurs and inserting the phrase “prior to a general election or during a
1174 period of time for which a public health emergency has been declared by the Mayor pursuant to
1175 section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002
1176 (D.C. Law 14-194; D.C. Official Code § 7-2304.01)” in its place.

1177 (B) Paragraph (6) is amended as follows:

1178 (i) Subparagraph (A) is amended by striking the phrase “and legal
1179 holidays” and inserting the phrase “legal holidays, and days during a period of time for which a
1180 public health emergency has been declared by the Mayor pursuant to section 5a of the District of
1181 Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C.
1182 Official Code § 7-2304.01)” in its place.

1183 (ii) Subparagraph (C) is amended by striking the phrase “petitions
1184 available,” and inserting the phrase “petitions available, not including days during a period of
1185 time for which a public health emergency has been declared by the Mayor pursuant to section 5a
1186 of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
1187 Law 14-194; D.C. Official Code § 7-2304.01),” in its place.

1188 (iii) Subparagraph (E) is amended by striking the phrase “or
1189 special meeting” and inserting the phrase “or special meeting, not to include a remote meeting

1190 held during a period of time for which a public health emergency has been declared by the
1191 Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
1192 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01),” in its place.

1193 (b) Section 13 (D.C. Official Code § 1-309.10) is amended by adding a new subsection
1194 (q) to read as follows:

1195 “(q) During a period of time for which a public health emergency has been declared by
1196 the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
1197 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01):

1198 “(1) The 30-day written notice requirement set forth in subsection (b) of this
1199 section shall be a 51-day written notice requirement; and

1200 “(2) The 45-calendar-day notice requirement set forth in subsection (c)(2)(A) of
1201 this section shall be a 66-calendar-day notice requirement.”

1202 (c) Section 16(j)(3) (D.C. Official Code § 1-309.13(j)(3)) is amended by adding a new
1203 subparagraph (C) to read as follows:

1204 “(C) Sub-subparagraph (i) of subparagraph (A) of this paragraph shall not
1205 apply to the failure to file quarterly reports due during a period of time for which a public health
1206 emergency has been declared by the Mayor pursuant to section 5a of the District of Columbia
1207 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official
1208 Code § 7-2304.01).”.

1209 Sec. 504. Disclosure extension; campaign finance training; and disbursement extension.

1210 (a) Section 161(a)(1) of the District of Columbia Retirement Reform Act, approved
1211 November 17, 1979 (93 Stat. 866; D.C. Official Code § 1-731(a)(1)), is amended by striking the
1212 phrase “April 30th” and inserting the phrase “July 30th” in its place.

1213 (b) The Government Ethics Act of 2011, effective April 27, 2012 (D.C. Law 19-124;
1214 D.C. Official Code § 1-1162.01 *et seq.*), is amended as follows:

1215 (1) Section 224 (D.C. Official Code § 1-1162.24) is amended by adding a new
1216 subsection (c-2) to read as follows:

1217 “(c-2) Notwithstanding any other provision of this section, in calendar year 2020, the
1218 Board may change the dates by which:

1219 “(1) Reports required by this section are to be filed; and

1220 “(2) The names of public officials are to be published pursuant to subsection (c-1)
1221 of this section.”.

1222 (2) Section 225 (D.C. Official Code § 1-1162.25) is amended by adding a new
1223 subsection (b-1) to read as follows:

1224 “(b-1) Notwithstanding any other provision of this section, in calendar year 2020, the
1225 Board may change the dates by which:

1226 “(1) Reports required by subsection (a) of this section are to be filed; and

1227 “(2) Reports filed pursuant to subsection (a) of this section shall be reviewed
1228 pursuant to subsection (b) of this section.”.

1229 (3) Section 230(a) (D.C. Official Code § 1-1162.30(a)) is amended by adding a
1230 new subsection (a-1) to read as follows:

1231 “(a-1) Notwithstanding any other provision of this section, in calendar year 2020, the
1232 Board may change the dates by which reports required by subsection (a) of this section shall be
1233 filed.”.

1234 (c) The Campaign Finance Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C.
1235 Official Code § 1-1163.01 *et seq.*) is amended as follows:

1236 (1) Section 304(7A)(A) (D.C. Official Code § 1-1163.04(7A)(A)) is amended by
1237 striking the phrase “in person, although online materials may be used to supplement the training”
1238 and inserting the phrase “in person or online” in its place.

1239 (2) Section 332d (D.C. Official Code § 1-1163.32d) is amended by striking the
1240 phrase “5 days after” wherever it appears and inserting the phrase “5 business days after” in its
1241 place.

1242 (3) Section 332e(e) (D.C. Official Code § 1-1163.32e(e)) is amended by striking
1243 the phrase “Within 5 days after” and inserting the phrase “Within 5 business days after” in its
1244 place.

1245 Sec. 505. Election preparations.

1246 The District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat.
1247 699; D.C. Official Code § 1-1001.01 *et seq.*), is amended as follows:

1248 (a) Section 2 (D.C. Official Code § 1-1001.02) is amended by adding a new paragraph
1249 (31) to read as follows:

1250 “(31) For the June 2, 2020, Primary Election and the June 16, 2020, Ward 2
1251 Special Election, the term “polling place” shall include Vote Centers operated by the Board
1252 throughout the District.”.

1253 (b) Section 5(a) (D.C. Official Code § 1-1001.05(a)) is amended by adding a new
1254 paragraph (9A) to read as follows:

1255 “(9A) For the June 2, 2020, Primary Election, mail every registered qualified
1256 elector an absentee ballot application and a postage-paid return envelope;”.

1257 (c) Section 7 (D.C. Official Code § 1-1001.07) is amended as follows:

1258 (1) Subsection (d)(2) is amended as follows:

1259 (A) Subparagraph (C) is amended by striking the phrase “; and” and
1260 inserting a semicolon in its place.

1261 (B) Subparagraph (D) is amended by striking the period and inserting the
1262 phrase “; and” in its place.

1263 (C) A new subparagraph (E) is added to read as follows:

1264 “(E) For the June 2, 2020, Primary Election and the June 16, 2020, Ward 2
1265 Special Election, regularly promote the Board’s revised plans for those elections on the voter
1266 registration agencies’ social media platforms, including by providing information about how to
1267 register to vote and vote by mail.”.

1268 (2) Subsection (h) is amended by adding a new paragraph (4) to read as follows:

1269 “(4) The provisions of this subsection shall not apply to the June 2, 2020, Primary
1270 Election and the June 16, 2020 Ward 2 Special Election.”.

1271 Sec. 506. Absentee ballot request signature waiver.

1272 Section 720.7(h) of Title 3 of the District of Columbia Municipal Regulations (3 DCMR
1273 § 720.7(h)) is amended by striking the phrase “Voter’s signature” and inserting the phrase
1274 “Except for a request for an absentee ballot for the June 2, 2020, Primary Election or the June 16,
1275 2020, Ward 2 Special Election, voter’s signature” in its place.

1276 Sec. 507. Board of Elections stipends.

1277 Section 1108(c-1)(10) of the District of Columbia Government Comprehensive Merit
1278 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-
1279 611.08(c-1)(10)), is amended by striking the phrase “Chairperson per year” and inserting the
1280 phrase “Chairperson per year; provided, that for the remainder of 2020 following the effective
1281 date of the COVID-19 Response Supplemental Emergency Amendment Act of 2020, passed on

1282 emergency basis on April 7, 2020 (Enrolled version of Bill 23-X), District of Columbia Board of
1283 Elections members shall be entitled to compensation at the hourly rate of \$40 while actually in
1284 the service of the board, not to exceed \$25,000 for each member per year and \$53,000 for the
1285 Chairperson per year” in its place.

1286 Sec. 508. Administrative hearings deadline tolling.

1287 Notwithstanding any provision of District law, but subject to applicable federal laws and
1288 regulations, during a period time for which the Mayor has declared a public health emergency
1289 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
1290 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7- 2304.01), the 90-day time period to
1291 request a hearing shall be tolled:

1292 (a) To review an adverse action by the Mayor concerning any new application for public
1293 assistance or any application or request for a change in the amount, kind or conditions of public
1294 assistance, or a decision by the Mayor to terminate, reduce, or change the amount, kind, or
1295 conditions of public assistance benefits or to take other action adverse to the recipient pursuant to
1296 section 1009 of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982
1297 (D.C. Law 4-101; D.C. Official Code § 4-210.09); or

1298 (b) To appeal an adverse decision listed in Section 26(b) of the Homeless Services
1299 Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-
1300 754.41(b)).

1301 Sec. 509. Approval of Mayoral nominations.

1302 Consistent with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C.
1303 Law 2-142; D.C. Official Code § 1-523.01), the Council of the District of Columbia confirms the
1304 appointments and reappointments of:

1305 (1) Dr. Roger A. Mitchell, Jr. as the Chief Medical Examiner of the Office of the
1306 Chief Medical Examiner for a term to end June 3, 2026, transmitted by the Mayor to the Council
1307 for confirmation on February 6, 2020;

1308 (2) Ms. Deborah Evans-Bailey as a community member who is not a District
1309 government employee to the Violence Fatality Review Committee for a term to end October 12,
1310 2023, transmitted by the Mayor to the Council for confirmation on February 24, 2020;

1311 (3) Dr. Erin Hall as a representative from a hospital in the District member to the
1312 Violence Fatality Review Committee for a term to end October 12, 2023, transmitted by the
1313 Mayor to the Council for confirmation on February 24, 2020;

1314 (4) Dr. Michael Eric Dyson as a member with a background in victim's rights to
1315 the Clemency Board, for a term to end four years after the date of confirmation, transmitted by
1316 the Mayor to the Council for confirmation on February 24, 2020;

1317 (5) Mr. George Schutter as the Chief Procurement Officer of the Office of
1318 Contracting and Procurement for a term to end July 14, 2025, transmitted by the Mayor to the
1319 Council for confirmation on February 14, 2020;

1320 (6) Ms. Olivia Elder as a public member of the Commission on Re-Entry and
1321 Returning Citizens Affairs, replacing Nicole Porter, for a term to end August 4, 2022, transmitted
1322 by the Mayor to the Council for confirmation on February 26, 2020;

1323 (7) Mr. Dominic Henry as a public member of the Commission on Re-Entry and
1324 Returning Citizens Affairs, replacing Tanisha Murden, for a term to end August 4, 2022,
1325 transmitted by the Mayor to the Council for confirmation on February 26, 2020;

1326 (8) Mr. Taurus Phillips of the Commission on Re-Entry and Returning Citizens
1327 Affairs, replacing Eric Weaver, for a term to end August 4, 2022, transmitted by the Mayor to
1328 the Council for confirmation on February 26, 2020;

1329 (9) Mr. Corwin Knight as a public member of the Commission on Re-Entry and
1330 Returning Citizens Affairs, for a term to end August 4, 2022, transmitted by the Mayor to the
1331 Council for confirmation on February 26, 2020;

1332 (10) Mr. Clarence Johnson as a public member of the Commission on Re-Entry
1333 and Returning Citizens Affairs, for a term to end August 4, 2022, transmitted by the Mayor to the
1334 Council for confirmation on February 26, 2020;

1335 (11) Mr. Christopher Bradshaw as a voting member of the Food Policy Council,
1336 for a term to end March 1, 2023, transmitted by the Mayor to the Council for confirmation on
1337 March 9, 2020;

1338 (12) Mrs. Dalila Boclin as a voting member of the Food Policy Council, for a
1339 term to end March 1, 2021, transmitted by the Mayor to the Council for confirmation on March
1340 9, 2020;

1341 (13) Mr. Ronnie Webb as a voting member of the Food Policy Council, for a term
1342 to end March 1, 2023, transmitted by the Mayor to the Council for confirmation on February 11,
1343 2020;

1344 (14) Mr. Edwin H. Dugas as a part-time commissioner of the Real Property Tax
1345 Appeals Commission, for a term to end April 30, 2024, transmitted by the Mayor to the Council
1346 for confirmation on February 11, 2020.

1347 (15) Mr. Ronald Hudson as a part-time commissioner of the Real Property Tax
1348 Appeals Commission, replacing Donald Isaac, Jr., for a term to end April 30, 2022, transmitted
1349 by the Mayor to the Council for confirmation on February 11, 2020.

1350 (16) Ms. Lauren Pair as Rent Administrator, for a term to end June 27, 2023,
1351 transmitted by the Mayor to the Council for confirmation on February 19, 2020.

1352 (17) Mr. Daniel W. Lucas as the Inspector General of the Office of the Inspector
1353 General, for a term to end May 19, 2026, transmitted by the Mayor to the Council for
1354 confirmation on February 6, 2020.

1355 (18) Ms. Monte Monash as a member of the Board of Library Trustees for a term
1356 to end January 5, 2025, transmitted by the Mayor to the Council for confirmation on February
1357 19, 2020.

1358 (19) Mr. James Sandman as a member of the Public Charter School Board for a
1359 term to end February 24, 2024, transmitted by the Mayor to the Council for confirmation on
1360 January 17, 2020.

1361 (20) Ms. Johanna Shreve as Chief Tenant Advocate of the Office of the Tenant
1362 Advocate for a term to end June 3, 2023, transmitted by the Mayor to the Council for
1363 confirmation on February 26, 2020.

1364 **TITLE VI. BORROWING AUTHORITY**

1365 **TITLE VI. BORROWING AUTHORITY**

1366 **SUBTITLE A. GENERAL OBLIGATION NOTES**

1367 Sec. 601. This subtitle may be cited as the “Fiscal Year 2020 General Obligation Notes
1368 Emergency Act of 2020”.

1369 Sec. 602. Definitions.

1370 For the purposes of this subtitle, the term:

1371 (1) “Additional Notes” means District general obligation notes described in
1372 section 609 that may be issued pursuant to section 471 of the Home Rule Act (D.C. Official
1373 Code § 1-204.71), and that will mature on or before September 30, 2021, on a parity with the
1374 notes.

1375 (2) “Authorized delegate” means the City Administrator, the Chief Financial
1376 Officer, or the Treasurer to whom the Mayor has delegated any of the Mayor’s functions under
1377 this subtitle pursuant to section 422(6) of the Home Rule Act (D.C. Official Code § 1-204.22(6)).

1378 (3) “Available funds” means District funds required to be deposited with the
1379 Escrow Agent, receipts, and other District funds that are not otherwise legally committed.

1380 (4) “Bond Counsel” means a firm or firms of attorneys designated
1381 as bond counsel or co-bond counsel from time to time by the Chief Financial Officer.

1382 (5) “Chief Financial Officer” means the Chief Financial Officer established
1383 pursuant to section 424(a)(1) of the Home Rule Act (D.C. Official Code § 1-204.24a(a)).

1384 (6) “City Administrator” means the City Administrator established pursuant to
1385 section 422(7) of the Home Rule Act (D.C. Official Code § 1-204.22(7)).

1386 (7) “Council” means the Council of the District of Columbia.

1387 (8) “District” means the District of Columbia.

1388 (9) “Escrow Agent” means any bank, trust company, or national banking
1389 association with requisite trust powers designated to serve in this capacity by the Chief Financial
1390 Officer.

1391 (10) “Escrow Agreement” means the escrow agreement between the District and
1392 the Escrow Agent authorized in section 607.

1393 (11) "Home Rule Act" means the District of Columbia Home Rule Act, approved
1394 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

1395 (12) "Mayor" means the Mayor of the District of Columbia.

1396 (13) "Notes" means one or more series of District general obligation notes
1397 authorized to be issued pursuant to this subtitle.

1398 (14) "Receipts" means all funds received by the District from any source,
1399 including, but not limited to, taxes, fees, charges, miscellaneous receipts, and any moneys
1400 advanced, loaned, or otherwise provided to the District by the United States Treasury, less funds
1401 that are pledged to debt or other obligations according to section 609 or that are restricted by law
1402 to uses other than payment of principal of, and interest on, the notes.

1403 (15) "Secretary" means the Secretary of the District of Columbia.

1404 (16) "Treasurer" means the District of Columbia Treasurer established pursuant to
1405 section 424(a)(3)(E) of the Home Rule Act (D.C. Official Code § 1-204.24a(c)(5)).

1406 Sec. 603. Findings.

1407 The Council finds that:

1408 (1) Under section 471 of the Home Rule Act (D.C. Official Code § 1-204.71),
1409 the Council may authorize, by act, the issuance of general obligation notes for a fiscal year to
1410 meet appropriations for that fiscal year.

1411 (2) Under section 482 of the Home Rule Act (D.C. Official Code § 1-204.82),
1412 the full faith and credit of the District is pledged for the payment of the principal of, and interest
1413 on, any general obligation note.

1414 (3) Under section 483 of the Home Rule Act (D.C. Official Code § 1-204.83),
1415 the Council is required to provide in the annual budget sufficient funds to pay the principal of,

1416 and interest on, all general obligation notes becoming due and payable during that fiscal year,
1417 and the Mayor is required to ensure that the principal of, and interest on, all general obligation
1418 notes is paid when due, including by paying the principal and interest from funds not otherwise
1419 legally committed.

1420 (4) The issuance of general obligation notes in a sum not to exceed
1421 \$300,000,000 is in the public interest.

1422 Sec. 604. Note authorization.

1423 (a) The District is authorized to incur indebtedness, for operating or capital expenses, by
1424 issuing the notes pursuant to sections 471 and 482 of the Home Rule Act (D.C. Official Code §§
1425 1-204.71 and 1-204.82), in one or more series, in a sum not to exceed \$300,000,000, to meet
1426 appropriations for the fiscal year ending September 30, 2020.

1427 (b) The Chief Financial Officer is authorized to pay from the proceeds of the notes the
1428 costs and expenses of issuing and delivering the notes, including, but not limited to,
1429 underwriting, legal, accounting, financial advisory, note insurance or other credit enhancement,
1430 marketing and selling the notes, interest or credit fees, and printing costs and expenses.

1431 Sec. 605. Note details.

1432 (a) The notes shall be known as “District of Columbia Fiscal Year 2020 General
1433 Obligation Notes” and shall be due and payable, as to both principal and interest, on or before
1434 September 30, 2021.

1435 (b) The Chief Financial Officer is authorized to take any action necessary or appropriate
1436 in accordance with this subtitle in connection with the preparation, execution, issuance, sale,
1437 delivery, security for, and payment of the notes, including, but not limited to, determinations of:

1438 (1) The final form, content, designation, and terms of the notes, including

1439 any redemptions applicable thereto and a determination that the notes may be issued in book-
1440 entry form;

1441 (2) Provisions for the transfer and exchange of the notes;

1442 (3) The principal amount of the notes to be issued;

1443 (4) The rate or rates of interest or the method of determining the rate or rates of
1444 interest on the notes; provided, that the interest rate or rates borne by the notes of any series shall
1445 not exceed in the aggregate 10% per year calculated on the basis of a 365-day year (actual days
1446 elapsed); provided, further, that if the notes are not paid at maturity, the notes may provide for an
1447 interest rate or rates after maturity not to exceed in the aggregate 15% per year calculated on the
1448 basis of a 365-day year (actual days elapsed);

1449 (5) The date or dates of issuance, sale, and delivery of the notes;

1450 (6) The place or places of payment of principal of, and interest on, the notes;

1451 (7) The designation of a registrar, if appropriate, for any series of the notes, and
1452 the execution and delivery of any necessary agreements relating to the designation;

1453 (8) The designation of paying agent(s) or escrow agent(s) for any series of the
1454 notes, and the execution and delivery of any necessary agreements relating to such designations;
1455 and

1456 (9) Provisions concerning the replacement of mutilated, lost, stolen or destroyed
1457 notes.

1458 (c) The notes shall be executed in the name of the District and on its behalf by the
1459 signature, manual or facsimile, of the Mayor or an authorized delegate. The official seal of the
1460 District or a facsimile of it shall be impressed, printed, or otherwise reproduced on the notes. If a
1461 registrar is designated, the registrar shall authenticate each note by manual signature and

1462 maintain the books of registration for the payment of the principal of and interest on the notes
1463 and perform other ministerial responsibilities as specifically provided in its designation as
1464 registrar.

1465 (d) The notes may be issued at any time or from time to time in one or more
1466 issues and in one or more series.

1467 Sec. 606. Sale of the notes.

1468 (a) The notes of any series shall be sold at negotiated sale pursuant to a purchase contract
1469 or at competitive sale pursuant to a bid form. The purchase contract or bid form shall contain the
1470 terms that the Chief Financial Officer considers necessary or appropriate to carry out the
1471 purposes of this subtitle. The Chief Financial Officer's execution and delivery of the purchase
1472 contract or bid form shall constitute conclusive evidence of the Chief Financial Officer's
1473 approval, on behalf of the District, of the final form and content of the notes. The Chief Financial
1474 Officer shall deliver the notes, on behalf of the District, to the purchasers upon receiving the
1475 purchase price provided in the purchase contract or bid form.

1476 (b) The Chief Financial Officer may execute, in connection with each sale of the notes,
1477 an offering document on behalf of the District, and may authorize the document's distribution in
1478 relation to the notes being sold.

1479 (c) The Chief Financial Officer shall take actions and execute and deliver agreements,
1480 documents, and instruments (including any amendment of or supplement to any such agreement,
1481 document, or instrument) in connection with any series of notes as required by or incidental to:

1482 (1) The issuance of the notes;

1483 (2) The establishment or preservation of the exclusion from gross income for
1484 federal income tax purposes of interest on the notes, if issued tax-exempt, and the exemption
1485 from District income taxation of interest on the notes (except estate, inheritance, and gift taxes);

1486 (3) The performance of any covenant contained in this subtitle, in any
1487 purchase contract for the notes, or in any escrow or other agreement for the security thereof;

1488 (4) The provision for securing the repayment of the notes by a letter or line of
1489 credit or other form of credit enhancement, and the repayment of advances under any such credit
1490 enhancement, including the evidencing of such a repayment obligation with a negotiable
1491 instrument with such terms as the Chief Financial Officer shall determine; or

1492 (5) The execution, delivery, and performance of the Escrow Agreement, a
1493 purchase contract, or a bid form for the notes, a paying agent agreement, or an agreement
1494 relating to credit enhancement, if any, including any amendments of any of these agreements,
1495 documents, or instruments.

1496 (d) The notes shall not be issued until the Chief Financial Officer receives an approving
1497 opinion of Bond Counsel as to the validity of the notes and the exemption from the District
1498 income taxation of the interest on the notes (except estate, inheritance and gift taxes) and, if
1499 issued tax-exempt, the establishment or preservation of the exclusion from gross income for
1500 federal income tax purposes of the interest on the notes. .

1501 (e) The Chief Financial Officer shall execute a note issuance certificate evidencing the
1502 determinations and other actions taken by the Chief Financial Officer for each issue or series of
1503 the notes issued and shall designate in the note issuance certificate the date of the notes, the
1504 series designation, the aggregate principal amount to be issued, the authorized denominations of
1505 the notes, the sale price, and the interest rate or rates on the notes. The certificate shall be

1506 delivered at the time of delivery of the notes and shall be conclusive evidence of the actions
1507 taken as stated in the certificate. A copy of the certificates shall be filed with the Secretary to the
1508 Council not more than 3 days after the delivery of the notes covered by the certificate.

1509 Sec. 607. Payment and security.

1510 (a) The full faith and credit of the District is pledged for the payment of the principal of,
1511 and interest on, the notes as they become due and payable through required sinking fund
1512 payments, redemptions, or otherwise.

1513 (b) The Council shall, in the full exercise of the authority granted in section 483 of the
1514 Home Rule Act (D.C. Official Code § 1-204.83) and under any other law, provide in each annual
1515 budget for a fiscal year of the District sufficient funds to pay the principal of, and interest on, the
1516 notes becoming due and payable for any reason during that fiscal year.

1517 (c) The Mayor shall, in the full exercise of the authority granted to the Mayor under the
1518 Home Rule Act and under any other law, take such actions as may be necessary or appropriate to
1519 ensure that the principal of, and interest on, the notes are paid when due for any reason, including
1520 the payment of principal and interest from any funds or accounts of the District not otherwise
1521 legally committed.

1522 (d) The notes shall evidence continuing obligations of the District until paid in
1523 accordance with their terms.

1524 (e) The funds for the payment of the notes as described in this subtitle shall be
1525 irrevocably deposited with the Escrow Agent pursuant to the Escrow Agreement. The funds shall
1526 be used for the payment of the principal of, and interest on, the notes when due, and shall not be
1527 used for other purposes so long as the notes are outstanding and unpaid.

1528 (f) The Chief Financial Officer may, without regard to any act or resolution of the
1529 Council now existing or adopted after the effective date of this subtitle, designate an Escrow
1530 Agent under the Escrow Agreement. The Chief Financial Officer may execute and deliver the
1531 Escrow Agreement, on behalf of the District and in the Chief Financial Officer’s official
1532 capacity, containing the terms that the Chief Financial Officer considers necessary or appropriate
1533 to carry out the purposes of this subtitle. A special account entitled “Special Escrow for Payment
1534 of District of Columbia Fiscal Year 2020 General Obligation Notes” is created and shall be
1535 maintained by the Escrow Agent for the benefit of the owners of the notes as stated in the
1536 Escrow Agreement. Funds on deposit, including investment income, under the Escrow
1537 Agreement shall not be used for any purposes except for payment of the notes or, to the extent
1538 permitted by the Home Rule Act, to service any contract or other arrangement permitted under
1539 subsections (k) or (l) of this section, and may be invested only as provided in the Escrow
1540 Agreement.

1541 (g) Upon the sale and delivery of the notes, the Chief Financial Officer shall deposit with
1542 the Escrow Agent to be held and maintained as provided in the Escrow Agreement all accrued
1543 interest and premium, if any, received upon the sale of the notes.

1544 (h) The Chief Financial Officer shall set aside and deposit with the Escrow Agent funds
1545 in accordance with the Escrow Agreement at the time and in the amount as provided in the
1546 Escrow Agreement.

1547 (i) There are provided and approved for expenditure sums as may be necessary
1548 for making payments of the principal of, and interest on, the notes, and the provisions of the
1549 Fiscal Year 2020 Local Budget Act and Fiscal Year 2021 Local Budget Act, if enacted prior to
1550 the effective date of this subtitle, relating to borrowings are amended and supplemented

1551 accordingly by this section, as contemplated in section 483 of the Home Rule Act (D.C. Official
1552 Code § 1-204.83).

1553 (j) The notes shall be payable, as to both principal and interest, in lawful money of the
1554 United States of America in immediately available or same day funds at a bank or trust company
1555 acting as paying agent, and at not more than 2 co-paying agents that may be located outside the
1556 District. All of the paying agents shall be qualified to act as paying agents under the laws of the
1557 United States of America, of the District, or of the state in which they are located, and shall be
1558 designated by the Chief Financial Officer without regard to any other act or resolution of the
1559 Council now existing or adopted after the effective date of this subtitle.

1560 (k) In addition to the security available for the holders of the notes, the Chief Financial
1561 Officer is hereby authorized to enter into agreements, including any agreement calling for
1562 payments in excess of \$1 million during fiscal year 2020, with a bank or other financial
1563 institution to provide a letter of credit, line of credit, or other form of credit enhancement to
1564 secure repayment of the notes when due. The obligation of the District to reimburse the bank or
1565 financial institution for any advances made under any such credit enhancement shall be a general
1566 obligation of the District until repaid and shall accrue interest at the rate of interest established by
1567 the Chief Financial Officer not in excess of 20% per year until paid.

1568 (l) The Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-
1569 371; D.C. Official Code § 2-351.01 *et seq.*), and the Financial Institutions Deposit and
1570 Investment Amendment Act of 1997, effective March 18, 1998 (D.C. Law 12-56; D.C. Official
1571 Code § 47-351.01 *et seq.*), shall not apply to any contract which the Chief Financial Officer may
1572 from time to time determine to be necessary or appropriate to place, in whole or in part,
1573 including:

1574 (1) An investment or obligation of the District as represented by the notes;
1575 (2) An investment or obligation or program of investment; or
1576 (3) A contract or contracts based on the interest rate, currency, cash flow, or other
1577 basis as the Chief Financial Officer may desire, including, without limitation, interest rate swap
1578 agreements; currency swap agreements; insurance agreements; forward payment conversion
1579 agreements; futures; contracts providing for payments based on levels of, or changes in, interest
1580 rates, currency exchange rates, or stock or other indices; contracts to exchange cash flows or a
1581 series of payments; and contracts to hedge payment, currency, rate, spread, or similar exposure,
1582 including, without limitation, interest rate floors, or caps, options, puts, and calls. The contracts
1583 or other arrangements also may be entered into by the District in connection with, or incidental
1584 to, entering into or maintaining any agreement that secures the notes. The contracts or other
1585 arrangements shall contain whatever payment, security, terms, and conditions as the Chief
1586 Financial Officer may consider appropriate and shall be entered into with whatever party or
1587 parties the Chief Financial Officer may select, after giving due consideration, where applicable,
1588 to the creditworthiness of the counterparty or counterparties including any rating by a nationally
1589 recognized rating agency or any other criteria as may be appropriate. In connection with, or
1590 incidental to, the issuance or holding of the notes, or entering into any contract or other
1591 arrangement referred to in this section, the District may enter into credit enhancement or
1592 liquidity agreements, with payment, interest rate, termination date, currency, security, default,
1593 remedy, and any other terms and conditions as the Chief Financial Officer determines. Proceeds
1594 of the notes and any money set aside for payment of the notes or of any contract or other
1595 arrangement entered into pursuant to this section may be used to service any contract or other
1596 arrangement entered into pursuant to this section.

1597 Sec. 608. Defeasance.

1598 (a) The notes shall no longer be considered outstanding and unpaid for the purpose of this
1599 subtitle and the Escrow Agreement, and the requirements of this subtitle and the Escrow
1600 Agreement shall be deemed discharged with respect to the notes, if the Chief Financial Officer:

1601 (1) Deposits with an Escrow Agent, herein referred to as the “defeasance escrow
1602 agent,” in a separate defeasance escrow account, established and maintained by the Escrow
1603 Agent solely at the expense of the District and held in trust for the note owners, sufficient
1604 moneys or direct obligations of the United States, the principal of and interest on which, when
1605 due and payable, will provide sufficient moneys to pay when due the principal of, and interest
1606 payable at maturity on, all the notes; and

1607 (2) Delivers to the defeasance escrow agent an irrevocable letter of instruction to
1608 apply the moneys or proceeds of the investments to the payment of the notes at their maturity.

1609 (b) The defeasance escrow agent shall not invest the defeasance escrow account in any
1610 investment callable at the option of its issuer if the call could result in less-than-sufficient
1611 moneys being available for the purposes required by this section.

1612 (c) The moneys and direct obligations referred to in subsection (a)(1) of this section may
1613 include moneys or direct obligations of the United States of America held under the Escrow
1614 Agreement and transferred, at the written direction of the Chief Financial Officer, to the
1615 defeasance escrow account.

1616 (d) The defeasance escrow account specified in subsection (a) of this section may be
1617 established and maintained without regard to any limitations placed on these accounts by any act
1618 or resolution of the Council now existing or adopted after this subtitle becomes effective, except
1619 for this subtitle.

1620 Sec. 609. Additional debt and other obligations.

1621 (a) The District reserves the right at any time to: borrow money or enter into
1622 other obligations to the full extent permitted by law; secure the borrowings or obligations by the
1623 pledge of its full faith and credit; secure the borrowings or obligations by any other security and
1624 pledges of funds as may be authorized by law; and issue bonds, notes, including Additional
1625 Notes, or other instruments to evidence the borrowings or obligations.

1626 (b)(1) The District may issue Additional Notes pursuant to section 471 of the Home Rule
1627 Act (D.C. Official Code § 1-204.71) that shall mature on or before September 30, 2021, and the
1628 District shall covenant to set aside and deposit under the Escrow Agreement, receipts and other
1629 available funds for payment of the principal of, and the interest on, the Additional Notes issued
1630 pursuant to section 471 of the Home Rule Act (D.C. Official Code § 1-204.71) on a parity basis
1631 with the notes.

1632 (2) The receipts and available funds referred to in subsection (a) of this section
1633 shall be separate from the special taxes or charges levied pursuant to section 481(a) of the Home
1634 Rule Act (D.C. Official Code § 1-204.81(a)), and taxes, if any, dedicated to particular purposes
1635 pursuant to section 490 of the Home Rule Act (D.C. Official Code § 1-204.90).

1636 (3) Any covenants relating to any Additional Notes shall have equal standing and
1637 be on a parity with the covenants made for payment of the principal of, and the interest on, the
1638 notes.

1639 (4) If Additional Notes are issued pursuant to section 471 of the Home Rule Act
1640 (D.C. Official Code § 1-204.71), the provisions of section 607 shall apply to both the notes and
1641 the Additional Notes and increase the amounts required to be set aside and deposited with the
1642 Escrow Agent.

1643 (5) As a condition precedent to the issuance of any Additional Notes, the Chief
1644 Financial Officer shall deliver a signed certificate certifying that the District is in full compliance
1645 with all covenants and obligations under this subtitle and the Escrow Agreement.

1646 Sec. 610. Tax matters.

1647 At the full discretion of the Chief Financial Officer, the notes authorized by this subtitle
1648 may be issued as federally taxable or tax-exempt. If issued as tax-exempt, the Chief Financial
1649 Officer shall take all actions necessary to be taken so that the interest on the notes will not be
1650 includable in gross income for federal income tax purposes.

1651 Sec. 611. Contract.

1652 This subtitle shall constitute a contract between the District and the owners of the notes
1653 authorized by this subtitle. To the extent that any acts or resolutions of the Council may be in
1654 conflict with this subtitle, this subtitle shall be controlling.

1655 Sec. 612. District officials.

1656 (a) The elected or appointed officials, officers, employees, or agents of the District shall
1657 not be liable personally for the payment of the notes or be subject to any personal liability by
1658 reason of the issuance of the notes.

1659 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
1660 any official appearing on the notes shall be valid and sufficient for all purposes, notwithstanding
1661 the fact that the official ceases to be that official before delivery of the notes.

1662 Sec. 613. Authorized delegation of authority.

1663 To the extent permitted by the District and federal laws, the Mayor may delegate to the
1664 City Administrator, the Chief Financial Officer, or the Treasurer the performance of any act
1665 authorized to be performed by the Mayor under this subtitle.

1666 Sec. 614. Maintenance of documents.

1667 Copies of the notes and related documents shall be filed in the Office of the Secretary.

1668 **SUBTITLE B. TRANS NOTES**

1669 Sec. 621. This subtitle may be cited as the “Fiscal Year 2020 Tax Revenue Anticipation
1670 Notes Emergency Act of 2020”

1671 Sec. 622. Definitions.

1672 For the purposes of this subtitle, the term:

1673 (1) “Additional Notes” means District general obligation revenue anticipation
1674 notes described in section 629 that may be issued pursuant to section 472 of the Home Rule Act
1675 (D.C. Official Code § 1-204.72) and that will mature on or before September 30, 2020, on a
1676 parity with the notes.

1677 (2) “Authorized delegate” means the City Administrator, the Chief Financial
1678 Officer, or the Treasurer to whom the Mayor has delegated any of the Mayor’s functions under
1679 this subtitle pursuant to section 422(6) of the Home Rule Act (D.C. Official Code § 1-204.22(6)).

1680 (3) “Available funds” means District funds required to be deposited with the
1681 Escrow Agent, receipts, and other District funds that are not otherwise legally committed.

1682 (4) “Bond Counsel” means a firm or firms of attorneys designated
1683 as bond counsel or co-bond counsel from time to time by the Chief Financial Officer.

1684 (5) “Chief Financial Officer” means the Chief Financial Officer established
1685 pursuant to section 424(a)(1) of the Home Rule Act (D.C. Official Code § 1-204.24a(a)).

1686 (6) “City Administrator” means the City Administrator established pursuant to
1687 section 422(7) of the Home Rule Act (D.C. Official Code § 1-204.22(7)).

1688 (7) “Council” means the Council of the District of Columbia.

1689 (8) "District" means the District of Columbia.

1690 (9) "Escrow Agent" means any bank, trust company, or national banking
1691 association with requisite trust powers designated to serve in this capacity by the Chief Financial
1692 Officer.

1693 (10) "Escrow Agreement" means the escrow agreement between the District and
1694 the Escrow Agent authorized in section 627.

1695 (11) "Home Rule Act" means the District of Columbia Home Rule Act, approved
1696 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*)

1697 (12) "Mayor" means the Mayor of the District of Columbia.

1698 (13) "Notes" means one or more series of District general obligation
1699 revenue anticipation notes authorized to be issued pursuant to this subtitle.

1700 (14) "Receipts" means all funds received by the District from any source,
1701 including, but not limited to, taxes, fees, charges, miscellaneous receipts, and any moneys
1702 advanced, loaned, or otherwise provided to the District by the United States Treasury, less funds
1703 that are pledged to debt or other obligations according to section 629 or that are restricted by law
1704 to uses other than payment of principal of, and interest on, the notes.

1705 (15) "Secretary" means the Secretary of State of the District of Columbia.

1706 (16) "Treasurer" means the District of Columbia Treasurer established pursuant to
1707 section 424(a)(3)(E) of the Home Rule Act (D.C. Official Code § 1-204.24a(c)(5)).

1708 Sec. 623. Findings.

1709 The Council finds that:

1710 (1) Under section 472 of the Home Rule Act (D.C. Official Code § 1-204.72), the
1711 Council may authorize, by act, the issuance of general obligation revenue anticipation notes for a

1712 fiscal year in anticipation of the collection or receipt of revenues for that fiscal year. Section 472
1713 of the Home Rule Act (D.C. Official Code § 1-204.72) provides further that the total amount of
1714 general obligation revenue anticipation notes issued and outstanding at any time during a fiscal
1715 year shall not exceed 20% of the total anticipated revenue of the District for that fiscal year, as
1716 certified by the Mayor pursuant to section 472 of the Home Rule Act (D.C. Official Code § 1-
1717 204.72), as of a date not more than 15 days before each original issuance of the notes.

1718 (2) Under section 482 of the Home Rule Act (D.C. Official Code § 1-204.82), the
1719 full faith and credit of the District is pledged for the payment of the principal of, and interest on,
1720 any general obligation revenue anticipation note.

1721 (3) Under section 483 of the Home Rule Act (D.C. Official Code § 1-204.83), the
1722 Council is required to provide in the annual budget sufficient funds to pay the principal of, and
1723 interest on, all general obligation revenue anticipation notes becoming due and payable during
1724 that fiscal year, and the Mayor is required to ensure that the principal of, and
1725 interest on, all general obligation revenue anticipation notes is paid when due, including by
1726 paying the principal and interest from funds not otherwise legally committed.

1727 (4) The Chief Financial Officer has advised the Council that, based upon the
1728 Chief Financial Officer's projections of anticipated receipts and disbursements during the fiscal
1729 year ending September 30, 2020, it may be necessary for the District to borrow to a sum not to
1730 exceed \$200 million, an amount that does not exceed 20% of the total anticipated revenue of the
1731 District for such fiscal year, and to accomplish the borrowing by issuing general obligation
1732 revenue anticipation notes in one or more series.

1733 (5) The issuance of general obligation revenue anticipation notes in a sum not to
1734 exceed \$200 million is in the public interest.

1735 Sec. 624. Note authorization.

1736 (a) The District is authorized to incur indebtedness by issuing the notes pursuant to
1737 sections 472 and 482 of the Home Rule Act (D.C. Official Code §§ 1-204.72 and 1-204.82), in
1738 one or more series, in a sum not to exceed \$200 million, to finance its general governmental
1739 expenses, including operating or capital expenses, in anticipation of the collection or receipt of
1740 revenues for the fiscal year ending September 30, 2020.

1741 (b) The Chief Financial Officer is authorized to pay from the proceeds of the notes the
1742 costs and expenses of issuing and delivering the notes, including, but not limited to,
1743 underwriting, legal, accounting, financial advisory, note insurance or other credit enhancement,
1744 marketing and selling the notes, interest or credit fees, and printing costs and expenses.

1745 Sec. 625. Note details.

1746 (a) The notes shall be known as “District of Columbia Fiscal Year 2020 General
1747 Obligation Tax Revenue Anticipation Notes” and shall be due and payable, as to both principal
1748 and interest, on or before September 30, 2020.

1749 (b) The Chief Financial Officer is authorized to take any action necessary or appropriate
1750 in accordance with this subtitle in connection with the preparation, execution, issuance, sale,
1751 delivery, security for, and payment of the notes, including, but not limited to, determinations of:

1752 (1) The final form, content, designation, and terms of the notes, including
1753 any redemptions applicable thereto and a determination that the notes may be issued in book-
1754 entry form;

1755 (2) Provisions for the transfer and exchange of the notes;

1756 (3) The principal amount of the notes to be issued;

1757 (4) The rate or rates of interest or the method of determining the rate or rates of
1758 interest on the notes; provided, that the interest rate or rates borne by the notes of any series shall
1759 not exceed in the aggregate 10% per year calculated on the basis of a 365-day year (actual days
1760 elapsed); provided, further, that if the notes are not paid at maturity, the notes may provide for an
1761 interest rate or rates after maturity not to exceed in the aggregate 15% per year calculated on the
1762 basis of a 365-day year (actual days elapsed);

1763 (5) The date or dates of issuance, sale, and delivery of the notes;

1764 (6) The place or places of payment of principal of, and interest on, the notes;

1765 (7) The designation of a registrar, if appropriate, for any series of the notes, and
1766 the execution and delivery of any necessary agreements relating to the designation;

1767 (8) The designation of paying agent(s) or escrow agent(s) for any series of the
1768 notes, and the execution and delivery of any necessary agreements relating to such designations;

1769 and

1770 (9) Provisions concerning the replacement of mutilated, lost, stolen or destroyed
1771 notes.

1772 (c) The notes shall be executed in the name of the District and on its behalf by the manual
1773 or facsimile signature of the Mayor or an authorized delegate. The official seal of the District or
1774 a facsimile of it shall be impressed, printed, or otherwise reproduced on the notes. If a registrar is
1775 designated, the registrar shall authenticate each note by manual signature and maintain the books
1776 of registration for the payment of the principal of and interest on the notes and perform other
1777 ministerial responsibilities as specifically provided in its designation as registrar.

1778 (d) The notes may be issued at any time or from time to time in one or more
1779 issues and in one or more series.

1780 Sec. 626. Sale of the notes.

1781 (a) The notes of any series shall be sold at negotiated sale pursuant to a purchase contract
1782 or at competitive sale pursuant to a bid form. The notes shall be sold at a price not less than par
1783 plus accrued interest from the date of the notes to the date of delivery thereof. The purchase
1784 contract or bid form shall contain the terms that the Chief Financial Officer considers necessary
1785 or appropriate to carry out the purposes of this subtitle. The Chief Financial Officer's execution
1786 and delivery of the purchase contract or bid form shall constitute conclusive evidence of the
1787 Chief Financial Officer's approval, on behalf of the District, of the final form and content of the
1788 notes. The Chief Financial Officer shall deliver the notes, on behalf of the District, to the
1789 purchasers upon receiving the purchase price provided in the purchase contract or bid form.

1790 (b) The Chief Financial Officer may execute, in connection with each sale of the notes,
1791 an offering document on behalf of the District, and may authorize the document's distribution in
1792 relation to the notes being sold.

1793 (c) The Chief Financial Officer shall take actions and execute and deliver agreements,
1794 documents, and instruments (including any amendment of or supplement to any such agreement,
1795 document, or instrument) in connection with any series of notes as required by or incidental to:

1796 (1) The issuance of the notes;

1797 (2) The establishment or preservation of the exclusion from gross income for
1798 federal income tax purposes of interest on the notes, if issued tax-exempt, and the exemption
1799 from District income taxation of interest on the notes (except estate, inheritance, and gift taxes);

1800 (3) The performance of any covenant contained in this subtitle, in any
1801 purchase contract for the notes, or in any escrow or other agreement for the security thereof;

1802 (4) The provision for securing the repayment of the notes by a letter or line of
1803 credit or other form of credit enhancement, and the repayment of advances under any such credit
1804 enhancement, including the evidencing of such a repayment obligation with a negotiable
1805 instrument with such terms as the Chief Financial Officer shall determine; or

1806 (5) The execution, delivery, and performance of the Escrow Agreement, a
1807 purchase contract, or a bid form for the notes, a paying agent agreement, or an agreement
1808 relating to credit enhancement, if any, including any amendments of any of these agreements,
1809 documents, or instruments.

1810 (d) The notes shall not be issued until the Chief Financial Officer receives an approving
1811 opinion of Bond Counsel as to the validity of the notes and the exemption from the District
1812 income taxation of the interest on the notes (except estate, inheritance and gift taxes) and, if
1813 issued tax-exempt, the establishment or preservation of the exclusion from gross income for
1814 federal income tax purposes of the interest on the notes.

1815 (e) The Chief Financial Officer shall execute a note issuance certificate evidencing the
1816 determinations and other actions taken by the Chief Financial Officer for each issue or series of
1817 the notes issued and shall designate in the note issuance certificate the date of the notes, the
1818 series designation, the aggregate principal amount to be issued, the authorized denominations of
1819 the notes, the sale price, and the interest rate or rates on the notes. The Mayor shall certify in a
1820 separate certificate, not more than 15 days before each original issuance of a series, the total
1821 anticipated revenue of the District for the fiscal year ending September 30, 2020, and that the
1822 total amount of all general obligation revenue anticipation notes issued and outstanding at any
1823 time during the fiscal year will not exceed 20% of the total anticipated revenue of the District for
1824 the fiscal year. These certificates shall be delivered at the time of delivery of the notes and shall

1825 be conclusive evidence of the actions taken as stated in the certificates. A copy of each of the
1826 certificates shall be filed with the Secretary to the Council not more than 3 days after the delivery
1827 of the notes covered by the certificates.

1828 Sec. 627. Payment and security.

1829 (a) The full faith and credit of the District is pledged for the payment of the principal of,
1830 and interest on, the notes when due.

1831 (b) The funds for the payment of the notes as described in this subtitle shall be
1832 irrevocably deposited with the Escrow Agent pursuant to the Escrow Agreement. The funds shall
1833 be used for the payment of the principal of, and interest on, the notes when due, and shall not be
1834 used for other purposes so long as the notes are outstanding and unpaid.

1835 (c) The notes shall be payable from available funds of the District, including, but not
1836 limited to, any moneys advanced, loaned, or otherwise provided to the District by the United
1837 States Treasury, and shall evidence continuing obligations of the District until paid in accordance
1838 with their terms.

1839 (d) The Chief Financial Officer may, without regard to any act or resolution of the
1840 Council now existing or adopted after the effective date of this subtitle, designate an Escrow
1841 Agent under the Escrow Agreement. The Chief Financial Officer may execute and deliver the
1842 Escrow Agreement, on behalf of the District and in the Chief Financial Officer's official
1843 capacity, containing the terms that the Chief Financial Officer considers necessary or appropriate
1844 to carry out the purposes of this subtitle. A special account entitled "Special Escrow for Payment
1845 of District of Columbia Fiscal Year 2020 General Obligation Tax Revenue Anticipation Notes"
1846 is created and shall be maintained by the Escrow Agent for the benefit of the owners of the notes
1847 as stated in the Escrow Agreement. Funds on deposit, including investment income, under the

1848 Escrow Agreement shall not be used for any purposes except for payment of the notes or, to the
1849 extent permitted by the Home Rule Act, to service any contract or other arrangement permitted
1850 under subsections (k) or (l) of this section, and may be invested only as provided in the Escrow
1851 Agreement.

1852 (e) Upon the sale and delivery of the notes, the Chief Financial Officer shall deposit with
1853 the Escrow Agent to be held and maintained as provided in the Escrow Agreement all accrued
1854 interest and premium, if any, received upon the sale of the notes.

1855 (f)(1) The Chief Financial Officer shall set aside and deposit with the Escrow Agent
1856 funds in accordance with the Escrow Agreement at the time and in the amount as provided in the
1857 Escrow Agreement.

1858 (2) If Additional Notes are issued pursuant to section 9(b), and if on the date set
1859 forth in the Escrow Agreement, the aggregate amount of principal and interest payable at
1860 maturity on the outstanding notes, including any Additional Notes, less all amounts on deposit,
1861 including investment income, under the Escrow Agreement exceeds 90% of the actual receipts of
1862 District taxes (other than special taxes or charges levied pursuant to section 481(a) of the Home
1863 Rule Act (D.C. Official Code § 1-204.81(a)), and taxes, if any, dedicated to particular purposes
1864 pursuant to section 490 of the Home Rule Act (D.C. Official Code § 1-204.90)), for the period
1865 August 15, 2020, until September 30, 2020, beginning on the date set forth in the Escrow
1866 Agreement, the Chief Financial Officer shall promptly, upon receipt by the District, set aside and
1867 deposit with the Escrow Agent the receipts received by the District after the date set forth in the
1868 Escrow Agreement, until the aggregate amount of principal and interest payable at maturity on
1869 the outstanding notes, including any Additional Notes as described above, is less than 90% of
1870 actual receipts of District taxes (other than special taxes or charges levied pursuant to section

1871 481(a) of the Home Rule Act (D.C. Official Code § 1-204.81(a)), and taxes, if any, dedicated to
1872 particular purposes pursuant to section 490 of the Home Rule Act (D.C. Official Code § 1-
1873 204.90)).

1874 (3) The District covenants that it shall levy, maintain, or enact taxes due and
1875 payable during August 1, 2020, through September 30, 2020, to provide for payment in full of
1876 the principal of, and interest on, the notes when due. The taxes referred to in this paragraph shall
1877 be separate from special taxes or charges levied pursuant to section 481(a) of the Home Rule Act
1878 (D.C. Official Code § 1-204.81(a)), or taxes, if any, dedicated to particular purposes pursuant to
1879 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90).

1880 (g) Before the 16th day of each month, beginning in August 2020, the Chief Financial
1881 Officer shall review the current monthly cash flow projections of the District, and if the Chief
1882 Financial Officer determines that the aggregate amount of principal and interest payable at
1883 maturity on the notes then outstanding, less any amounts and investment income on deposit
1884 under the Escrow Agreement, equals or exceeds 85% of the receipts estimated by the Chief
1885 Financial Officer to be received after such date by the District but before the maturity of the
1886 notes, then the Chief Financial Officer shall promptly, upon receipt by the District, set aside and
1887 deposit with the Escrow Agent the receipts received by the District on and after that date until
1888 the aggregate amount, including investment income, on deposit with the Escrow Agent equals or
1889 exceeds 100% of the aggregate amount of principal of and interest on the notes payable at their
1890 maturity.

1891 (h) The Chief Financial Officer shall, in the full exercise of the authority granted the
1892 Chief Financial Officer under the Home Rule Act and under any other law, take actions as may
1893 be necessary or appropriate to ensure that the principal of and interest on the notes are paid when

1894 due, including, but not limited to, seeking an advance or loan of moneys from the United States
1895 Treasury if available under then current law. This action shall include, without limitation, the
1896 deposit of available funds with the Escrow Agent as may be required under section 483 of the
1897 Home Rule Act (D.C. Official Code § 1-204.83), this subtitle, and the Escrow Agreement.
1898 Without limiting any obligations under this subtitle or the Escrow Agreement, the Chief
1899 Financial Officer reserves the right to deposit available funds with the Escrow Agent at his or her
1900 discretion.

1901 (i) There are provided and approved for expenditure sums as may be necessary
1902 for making payments of the principal of, and interest on, the notes, and the provisions of the
1903 Fiscal Year 2020 Local Budget Act, if enacted prior to the effective date of this subtitle, relating
1904 to borrowings are amended and supplemented accordingly by this section, as contemplated in
1905 section 483 of the Home Rule Act (D.C. Official Code § 1-204.83)).

1906 (j) The notes shall be payable, as to both principal and interest, in lawful money of the
1907 United States of America in immediately available or same day funds at a bank or trust company
1908 acting as paying agent, and at not more than 2 co-paying agents that may be located outside the
1909 District. All of the paying agents shall be qualified to act as paying agents under the laws of the
1910 United States of America, of the District, or of the state in which they are located, and shall be
1911 designated by the Chief Financial Officer without regard to any other act or resolution of the
1912 Council now existing or adopted after the effective date of this subtitle.

1913 (k) In addition to the security available for the holders of the notes, the Chief Financial
1914 Officer is hereby authorized to enter into agreements, including any agreement calling for
1915 payments in excess of \$1 million during fiscal year 2020, with a bank or other financial
1916 institution to provide a letter of credit, line of credit, or other form of credit enhancement to

1917 secure repayment of the notes when due. The obligation of the District to reimburse the bank or
1918 financial institution for any advances made under any such credit enhancement shall be a general
1919 obligation of the District until repaid and shall accrue interest at the rate of interest established by
1920 the Chief Financial Officer not in excess of 15% per year until paid.

1921 (l) The Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-
1922 371; D.C. Official Code § 2-351.01 *et seq.*), and the Financial Institutions Deposit and
1923 Investment Amendment Act of 1997, effective March 18, 1998 (D.C. Law 12-56; D.C. Official
1924 Code § 47-351.01 *et seq.*), shall not apply to any contract which the Chief Financial Officer may
1925 from time to time determine to be necessary or appropriate to place, in whole or in part,
1926 including:

- 1927 (1) An investment or obligation of the District as represented by the notes;
1928 (2) An investment or obligation or program of investment; or
1929 (3) A contract or contracts based on the interest rate, currency, cash flow, or other
1930 basis as the Chief Financial Officer may desire, including, without limitation, interest rate swap
1931 agreements; currency swap agreements; insurance agreements; forward payment conversion
1932 agreements; futures; contracts providing for payments based on levels of, or changes in, interest
1933 rates, currency exchange rates, or stock or other indices; contracts to exchange cash flows or a
1934 series of payments; and contracts to hedge payment, currency, rate, spread, or similar exposure,
1935 including, without limitation, interest rate floors, or caps, options, puts, and calls. The contracts
1936 or other arrangements also may be entered into by the District in connection with, or incidental
1937 to, entering into or maintaining any agreement that secures the notes. The contracts or other
1938 arrangements shall contain whatever payment, security, terms, and conditions as the Chief
1939 Financial Officer may consider appropriate and shall be entered into with whatever party or

1940 parties the Chief Financial Officer may select, after giving due consideration, where applicable,
1941 to the creditworthiness of the counterparty or counterparties including any rating by a nationally
1942 recognized rating agency or any other criteria as may be appropriate. In connection with, or
1943 incidental to, the issuance or holding of the notes, or entering into any contract or other
1944 arrangement referred to in this section, the District may enter into credit enhancement or
1945 liquidity agreements, with payment, interest rate, termination date, currency, security, default,
1946 remedy, and any other terms and conditions as the Chief Financial Officer determines. Proceeds
1947 of the notes and any money set aside for payment of the notes or of any contract or other
1948 arrangement entered into pursuant to this section may be used to service any contract or other
1949 arrangement entered into pursuant to this section.

1950 Sec. 628. Defeasance.

1951 (a) The notes shall no longer be considered outstanding and unpaid for the purpose of this
1952 subtitle and the Escrow Agreement, and the requirements of this subtitle and the Escrow
1953 Agreement shall be deemed discharged with respect to the notes, if the Chief Financial Officer:

1954 (1) Deposits with an Escrow Agent, herein referred to as the “defeasance escrow
1955 agent,” in a separate defeasance escrow account, established and maintained by the Escrow
1956 Agent solely at the expense of the District and held in trust for the note owners, sufficient
1957 moneys or direct obligations of the United States, the principal of and interest on which, when
1958 due and payable, will provide sufficient moneys to pay when due the principal of, and interest
1959 payable at maturity on, all the notes; and

1960 (2) Delivers to the defeasance escrow agent an irrevocable letter of instruction to
1961 apply the moneys or proceeds of the investments to the payment of the notes at their maturity.

1962 (b) The defeasance escrow agent shall not invest the defeasance escrow account in any
1963 investment callable at the option of its issuer if the call could result in less than sufficient moneys
1964 being available for the purposes required by this section.

1965 (c) The moneys and direct obligations referred to in subsection (a)(1) of this section may
1966 include moneys or direct obligations of the United States of America held under the Escrow
1967 Agreement and transferred, at the written direction of the Chief Financial Officer, to the
1968 defeasance escrow account.

1969 (d) The defeasance escrow account specified in subsection (a) of this section may be
1970 established and maintained without regard to any limitations placed on these accounts by any act
1971 or resolution of the Council now existing or adopted after this subtitle becomes effective, except
1972 for this subtitle.

1973 Sec. 629. Additional debt and other obligations.

1974 (a) The District reserves the right at any time to: borrow money or enter into
1975 other obligations to the full extent permitted by law; secure the borrowings or obligations by the
1976 pledge of its full faith and credit; secure the borrowings or obligations by any other security and
1977 pledges of funds as may be authorized by law; and issue bonds, notes, including Additional
1978 Notes, or other instruments to evidence the borrowings or obligations.

1979 (b) (1) The District may issue Additional Notes pursuant to section 472 of the Home Rule
1980 Act (D.C. Official Code § 1-204.72) that shall mature on or before September 30, 2020, and the
1981 District shall covenant to set aside and deposit under the Escrow Agreement, receipts and other
1982 available funds for payment of the principal of, and the interest on, the Additional Notes issued
1983 pursuant to section 472 of the Home Rule Act (D.C. Official Code § 1-204.72) on a parity basis
1984 with the notes.

1985 (2) The receipts and available funds referred to in subsection (a) of this section
1986 shall be separate from the special taxes or charges levied pursuant to section 481(a) of the Home
1987 Rule Act (D.C. Official Code § 1-204.81(a)), and taxes, if any, dedicated to particular purposes
1988 pursuant to section 490 of the Home Rule Act (D.C. Official Code § 1-204.90).

1989 (3) Any covenants relating to any Additional Notes shall have equal standing and
1990 be on a parity with the covenants made for payment of the principal of, and the interest on, the
1991 notes.

1992 (4) If Additional Notes are issued pursuant to section 472 of the Home Rule Act
1993 (D.C. Official Code § 1-204.72), the provisions of section 627 shall apply to both the notes and
1994 the Additional Notes and increase the amounts required to be set aside and deposited with the
1995 Escrow Agent.

1996 (5) As a condition precedent to the issuance of any Additional Notes, the Chief
1997 Financial Officer shall deliver a signed certificate certifying that the District is in full compliance
1998 with all covenants and obligations under this subtitle and the Escrow Agreement, that no set-
1999 aside and deposit of receipts pursuant to section 627(g) applied as of the date of issuance is
2000 required, and that no set-aside and deposit will be required under section 627(g) applied
2001 immediately after the issuance.

2002 Sec. 630. Tax matters.

2003 At the full discretion of the Chief Financial Officer, the notes authorized by this subtitle
2004 may be issued as federally taxable or tax-exempt. If issued as tax-exempt, the Chief Financial
2005 Officer shall take all actions necessary to be taken so that the interest on the notes will not be
2006 includable in gross income for federal income tax purposes.

2007 Sec. 631. Contract.

2008 This subtitle shall constitute a contract between the District and the owners of the notes
2009 authorized by this subtitle. To the extent that any acts or resolutions of the Council may be in
2010 conflict with this subtitle, this subtitle shall be controlling.

2011 Sec. 632. District officials.

2012 (a) The elected or appointed officials, officers, employees, or agents of the District shall
2013 not be liable personally for the payment of the notes or be subject to any personal liability by
2014 reason of the issuance of the notes.

2015 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
2016 any official appearing on the notes shall be valid and sufficient for all purposes, notwithstanding
2017 the fact that the official ceases to be that official before delivery of the notes.

2018 Sec. 633. Authorized delegation of authority.

2019 To the extent permitted by the District and federal laws, the Mayor may delegate to the
2020 City Administrator, the Chief Financial Officer, or the Treasurer the performance of any act
2021 authorized to be performed by the Mayor under this subtitle.

2022 Sec. 634. Maintenance of documents.

2023 Copies of the notes and related documents shall be filed in the Office of the Secretary.

2024 **TITLE VII. REVENUE BONDS**

2025 **SUBTITLE A. STUDIO THEATER, INC.**

2026 Sec. 701. This subtitle may be cited as the “The Studio Theatre, Inc. Revenue Bonds
2027 Project Emergency Approval Act of 2020”.

2028 Sec. 702. Definitions.

2029 For the purposes of this subtitle the term:

2030 (1) “Authorized Delegate” means the Mayor or the Deputy Mayor for Planning
2031 and Economic Development, or any officer or employee of the Executive Office of the Mayor to
2032 whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of
2033 the Mayor’s functions under this subtitle pursuant to section 422(6) of the Home Rule Act (D.C.
2034 Official Code § 422(6)).

2035 (2) “Bond Counsel” means a firm or firms of attorneys designated as bond
2036 counsel from time to time by the Mayor.

2037 (3) “Bonds” means the District of Columbia revenue bonds, notes, or other
2038 obligations (including refunding bonds, notes, and other obligations), in one or more series,
2039 authorized to be issued pursuant to this subtitle.

2040 (4) “Borrower” means the owner of the assets financed, refinanced, or reimbursed
2041 with proceeds from the Bonds, which shall be The Studio Theatre, Inc., a non-profit corporation
2042 organized under the laws of the District of Columbia, which is exempt from federal income taxes
2043 under section 501(a) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A
2044 Stat. 163; 26 U.S.C. § 501(a)), as an organization described in section 501(c)(3) of the Internal
2045 Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3)), and
2046 which is liable for the repayment of the Bonds.

2047 (5) “Chairman” means the Chairman of the Council of the District of Columbia.

2048 (6) “Closing Documents” means all documents and agreements, other than
2049 Financing Documents, that may be necessary and appropriate to issue, sell, and deliver the
2050 Bonds and to make the Loan, and includes agreements, certificates, letters, opinions, forms,
2051 receipts, and other similar instruments.

2052 (7) “District” means the District of Columbia.

2053 (8) “Financing Documents” means the documents, other than Closing Documents,
2054 that relate to the financing, refinancing or reimbursement of transactions to be effected through
2055 the issuance, sale, and delivery of the Bonds and the making of the Loan, including any offering
2056 document, and any required supplements to any such documents.

2057 (9) “Home Rule Act” means the District of Columbia Home Rule Act, approved
2058 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

2059 (10) “Issuance Costs” means all fees, costs, charges, and expenses paid or
2060 incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery
2061 of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal,
2062 accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection
2063 with the development and implementation of the Financing Documents, the Closing Documents,
2064 and those other documents necessary or appropriate in connection with the authorization,
2065 preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the
2066 Loan, together with financing fees, costs, and expenses, including program fees and
2067 administrative fees charged by the District, fees paid to financial institutions and insurance
2068 companies, initial letter of credit fees (if any), and compensation to financial advisors and other
2069 persons (other than full-time employees of the District) and entities performing services on
2070 behalf of or as agents for the District.

2071 (11) “Loan” means the District’s lending of proceeds from the sale, in one or
2072 more series, of the Bonds to the Borrower.

2073 (12) “Project” means the financing, refinancing, or reimbursing of all or a portion
2074 of the Borrower’s costs of:

2075 (A) Renovating and expanding by approximately 2,780 gross square feet
2076 the Borrower’s mixed-use theater complex located at 1501 14th Street, N.W. in Washington,
2077 D.C. (Square 241, Lot 0128), currently comprising approximately 53,532 gross square feet of
2078 above grade improvements (the “Theater Facility”);

2079 (B) Renovating certain residential facilities in Washington, D.C., owned
2080 by the Borrower and used as artist housing, located at 1630 Corcoran Street, N.W. (Square 0179,
2081 Lot 0094), 1736 Corcoran Street, N.W. (Square 0155, Lot 0208), 1437 Clifton Street, N.W.
2082 (Square 2664, Lot 0058); and Condominium Units 317, 409, 419 and 820 at 1718 P Street, N.W.
2083 (Square 0157, Lots 2061, 2073, 2083 and 2164) (collectively, the “Ancillary Facilities” and
2084 together with the Theater Facility, the “Facilities”);

2085 (C) Purchasing certain equipment and furnishings, together with other
2086 property, real and personal, functionally related and subordinate to the Facilities;

2087 (D) Funding certain expenditures associated with the financing of the
2088 Facilities, to the extent permissible, including, credit enhancement costs, liquidity costs, debt
2089 service reserve fund or working capital; and

2090 (E) Paying costs of issuance and other related costs, to the extent
2091 permissible.

2092 Sec. 703. Findings.

2093 The Council finds that:

2094 (1) Section 490 of the Home Rule Act (D.C. Official Code § 1-204.90) provides
2095 that the Council may by act authorize the issuance of District revenue bonds, notes, or other
2096 obligations (including refunding bonds, notes, or other obligations) to borrow money to finance,
2097 refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of, the

2098 costs of undertakings in certain areas designated in section 490 (D.C. Official Code § 1-204.90)
2099 and may affect the financing, refinancing, or reimbursement by loans made directly or indirectly
2100 to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by
2101 the purchase, lease, or sale of any property.

2102 (2) The Borrower has requested the District to issue, sell, and deliver revenue
2103 bonds, in one or more series pursuant to a plan of finance, in an aggregate principal amount not
2104 to exceed \$12,500,000, and to make the Loan for the purpose of financing, refinancing, or
2105 reimbursing costs of the Project.

2106 (3) The Facilities are located in the District and will contribute to the health,
2107 education, safety, or welfare of, or the creation or preservation of jobs for, residents of the
2108 District, or to economic development of the District.

2109 (4) The Project is an undertaking in the area of capital projects in the form of
2110 facilities used for the Borrower's operations and, in part, as a venue to produce contemporary
2111 theater and serve the community through artistic innovation, engagement, education and
2112 professional development (and property used in connection with or supplementing the
2113 foregoing), within the meaning of section 490 of the Home Rule Act (D.C. Official Code § 1-
2114 204.90).

2115 (5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to
2116 the Borrower are desirable, are in the public interest, will promote the purpose and intent of
2117 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90), and will assist the Project.

2118 Sec. 704. Bond authorization.

2119 (a) The Mayor is authorized pursuant to the Home Rule Act and this subtitle to assist in
2120 financing, refinancing or reimbursing the costs of the Project by:

2121 (1) The issuance, sale, and delivery of the Bonds, in one or more series, in an
2122 aggregate principal amount not to exceed \$12,500,000; and

2123 (2) The making of the Loan.

2124 (b) The Mayor is authorized to make the Loan to the Borrower for the purpose of
2125 financing, refinancing or reimbursing the costs of the Project and establishing any fund with
2126 respect to the Bonds as required by the Financing Documents.

2127 (c) The Mayor may charge a program fee to the Borrower, including, but not limited to,
2128 an amount sufficient to cover costs and expenses incurred by the District in connection with the
2129 issuance, sale, and delivery of each series of the Bonds, the District's participation in the
2130 monitoring of the use of the Bond proceeds and compliance with any public benefit agreements
2131 with the District, and maintaining official records of each bond transaction, and assisting in the
2132 redemption, repurchase, and remarketing of the Bonds.

2133 Sec. 705. Bond details.

2134 (a) The Mayor and each Authorized Delegate is authorized to take any action reasonably
2135 necessary or appropriate in accordance with this subtitle in connection with the preparation,
2136 execution, issuance, sale, delivery, security for, and payment of the Bonds of each series,
2137 including, but not limited to, determinations of:

2138 (1) The final form, content, designation, and terms of the Bonds, including a
2139 determination that the Bonds may be issued in certificated or book-entry form;

2140 (2) The principal amount of the Bonds to be issued and denominations of the
2141 Bonds;

2142 (3) The rate or rates of interest or the method for determining the rate or rates of
2143 interest on the Bonds;

2144 (4) The date or dates of issuance, sale, and delivery of, and the payment of interest
2145 on, the Bonds, and the maturity date or dates of the Bonds;

2146 (5) The terms under which the Bonds may be paid, optionally or mandatorily
2147 redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before
2148 their respective stated maturities;

2149 (6) Provisions for the registration, transfer, and exchange of the Bonds and the
2150 replacement of mutilated, lost, stolen, or destroyed Bonds;

2151 (7) The creation of any reserve fund, sinking fund, or other fund with respect to
2152 the Bonds;

2153 (8) The time and place of payment of the Bonds;

2154 (9) Procedures for monitoring the use of the proceeds received from the sale of
2155 the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish
2156 the purposes of the Home Rule Act and this subtitle;

2157 (10) Actions necessary to qualify the Bonds under blue sky laws of any
2158 jurisdiction where the Bonds are marketed; and

2159 (11) The terms and types of credit enhancement under which the Bonds may be
2160 secured.

2161 (b) The Bonds shall contain a legend, which shall provide that the Bonds are special
2162 obligations of the District, are without recourse to the District, are not a pledge of, and do not
2163 involve the faith and credit or the taxing power of the District, do not constitute a debt of the
2164 District, and do not constitute lending of the public credit for private undertakings as prohibited
2165 in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

2166 (c) The Bonds shall be executed in the name of the District and on its behalf by the
2167 manual or facsimile signature of the Mayor, and attested by the Secretary of the District of
2168 Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The
2169 Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's
2170 approval, on behalf of the District, of the final form and content of the Bonds.

2171 (d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or
2172 otherwise reproduced on the Bonds.

2173 (e) The Bonds of any series may be issued in accordance with the terms of a trust
2174 instrument to be entered into by the District and a trustee to be selected by the Borrower subject
2175 to the approval of the Mayor, and may be subject to the terms of one or more agreements entered
2176 into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act (D.C. Official Code § 1-
2177 204.90(a)(4)).

2178 (f) The Bonds may be issued at any time or from time to time in one or more issues and
2179 in one or more series.

2180 Sec. 706. Sale of the Bonds.

2181 (a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or
2182 below par, to one or more persons or entities, and upon terms that the Mayor considers to be in
2183 the best interest of the District.

2184 (b) The Mayor or an Authorized Delegate may execute, in connection with each sale of
2185 the Bonds, offering documents on behalf of the District, may deem final any such offering
2186 document on behalf of the District for purposes of compliance with federal laws and regulations
2187 governing such matters and may authorize the distribution of the documents in connection with
2188 the sale of the Bonds.

2189 (c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the
2190 District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to
2191 the original purchasers of the Bonds upon payment of the purchase price.

2192 (d) The Bonds shall not be issued until the Mayor receives an approving opinion from
2193 Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is
2194 expected to be exempt from federal income taxation, the treatment of the interest on the Bonds
2195 for purposes of federal income taxation.

2196 Sec. 707. Payment and security.

2197 (a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely
2198 from proceeds received from the sale of the Bonds, income realized from the temporary
2199 investment of those proceeds, receipts and revenues realized by the District from the Loan,
2200 income realized from the temporary investment of those receipts and revenues prior to payment
2201 to the Bond owners, other moneys that, as provided in the Financing Documents, may be made
2202 available to the District for the payment of the Bonds, and other sources of payment (other than
2203 from the District), all as provided for in the Financing Documents.

2204 (b) Payment of the Bonds shall be secured as provided in the Financing Documents and
2205 by an assignment by the District for the benefit of the Bond owners of certain of its rights under
2206 the Financing Documents and Closing Documents, including a security interest in certain
2207 collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

2208 (c) The trustee is authorized to deposit, invest, and disburse the proceeds received from
2209 the sale of the Bonds pursuant to the Financing Documents.

2210 Sec. 708. Financing and Closing Documents.

2211 (a) The Mayor is authorized to prescribe the final form and content of all Financing
2212 Documents and all Closing Documents to which the District is a party that may be necessary or
2213 appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of
2214 the Financing Documents and each of the Closing Documents to which the District is not a party
2215 shall be approved, as to form and content, by the Mayor.

2216 (b) The Mayor is authorized to execute, in the name of the District and on its behalf, the
2217 Financing Documents and any Closing Documents to which the District is a party by the
2218 Mayor's manual or facsimile signature.

2219 (c) If required, the official seal of the District, or a facsimile of it, shall be impressed,
2220 printed, or otherwise reproduced on the Financing Documents and the Closing Documents to
2221 which the District is a party.

2222 (d) The Mayor's execution and delivery of the Financing Documents and the Closing
2223 Documents to which the District is a party shall constitute conclusive evidence of the Mayor's
2224 approval, on behalf of the District, of the final form and content of the executed Financing
2225 Documents and the executed Closing Documents.

2226 (e) The Mayor is authorized to deliver the executed and sealed Financing Documents and
2227 Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale,
2228 and delivery of the Bonds, and to ensure the due performance of the obligations of the District
2229 contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

2230 Sec. 709. Authorized delegation of authority.

2231 To the extent permitted by District and federal laws, the Mayor may delegate to any
2232 Authorized Delegate the performance of any function authorized to be performed by the Mayor
2233 under this subtitle.

2234 Sec. 710. Limited liability.

2235 (a) The Bonds shall be special obligations of the District. The Bonds shall be without
2236 recourse to the District. The Bonds shall not be general obligations of the District, shall not be a
2237 pledge of, or involve the faith and credit or the taxing power of, the District, shall not constitute a
2238 debt of the District, and shall not constitute lending of the public credit for private undertakings
2239 as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

2240 (b) The Bonds shall not give rise to any pecuniary liability of the District and the District
2241 shall have no obligation with respect to the purchase of the Bonds.

2242 (c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing
2243 Documents shall create an obligation on the part of the District to make payments with respect to
2244 the Bonds from sources other than those listed for that purpose in section 707.

2245 (d) The District shall have no liability for the payment of any Issuance Costs or for any
2246 transaction or event to be effected by the Financing Documents.

2247 (e) All covenants, obligations, and agreements of the District contained in this subtitle,
2248 the Bonds, and the executed, sealed, and delivered Financing Documents and Closing
2249 Documents to which the District is a party, shall be considered to be the covenants, obligations,
2250 and agreements of the District to the fullest extent authorized by law, and each of those
2251 covenants, obligations, and agreements shall be binding upon the District, subject to the
2252 limitations set forth in this subtitle.

2253 (f) No person, including, but not limited to, the Borrower and any Bond owner, shall have
2254 any claims against the District or any of its elected or appointed officials, officers, employees, or
2255 agents for monetary damages suffered as a result of the failure of the District or any of its elected
2256 or appointed officials, officers, employees or agents to either perform any covenant, undertaking,

2257 or obligation under this subtitle, the Bonds, the Financing Documents, or the Closing
2258 Documents, or as a result of the incorrectness of any representation in or omission from the
2259 Financing Documents or the Closing Documents, unless the District or its elected or appointed
2260 officials, officers, employees, or agents have acted in a willful and fraudulent manner.

2261 Sec. 711. District officials.

2262 (a) Except as otherwise provided in section 710(f), the elected or appointed officials,
2263 officers, employees, or agents of the District shall not be liable personally for the payment of the
2264 Bonds or be subject to any personal liability by reason of the issuance, sale or delivery of the
2265 Bonds, or for any representations, warranties, covenants, obligations, or agreements of the
2266 District contained in this subtitle, the Bonds, the Financing Documents, or the Closing
2267 Documents.

2268 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
2269 any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall
2270 be valid and sufficient for all purposes notwithstanding the fact that the individual signatory
2271 ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing
2272 Documents.

2273 Sec.712. Maintenance of documents.

2274 Copies of the specimen Bonds and of the final Financing Documents and Closing
2275 Documents shall be filed in the Office of the Secretary of the District of Columbia.

2276 Sec.713. Information reporting.

2277 Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the
2278 issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the
2279 Council.

2280 Sec. 714. Disclaimer.

2281 (a) The issuance of Bonds is in the discretion of the District. Nothing contained in this
2282 subtitle, the Bonds, the Financing Documents, or the Closing Documents shall be construed as
2283 obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or
2284 assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the
2285 Project. The Borrower shall have no claims for damages or for any other legal or equitable relief
2286 against the District, its elected or appointed officials, officers, employees, or agents as a
2287 consequence of any failure to issue any Bonds for the benefit of the Borrower.

2288 (b) The District reserves the right to issue the Bonds in the order or priority it determines
2289 in its sole and absolute discretion. The District gives no assurance and makes no representations
2290 that any portion of any limited amount of bonds or other obligations, the interest on which is
2291 excludable from gross income for federal income tax purposes, will be reserved or will be
2292 available at the time of the proposed issuance of the Bonds.

2293 (c) The District, by enacting this subtitle or by taking any other action in connection with
2294 financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that
2295 the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on
2296 the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the
2297 Bonds, nor any other person shall rely upon the District with respect to these matters.

2298 Sec. 715. Expiration.

2299 If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of
2300 the effective date of this act, the authorization provided in this subtitle with respect to the
2301 issuance, sale, and delivery of the Bonds shall expire.

2302 Sec. 716. Severability.

2303 If any particular provision of this subtitle or the application thereof to any person or
2304 circumstance is held invalid, the remainder of this subtitle and the application of such provision
2305 to other persons or circumstances shall not be affected thereby. If any action or inaction
2306 contemplated under this subtitle is determined to be contrary to the requirements of applicable
2307 law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and
2308 the validity of the Bonds shall not be adversely affected.

2309

2310 **SUBTITLE B. DC SCHOLARS PUBLIC CHARTER SCHOOL, INC.**

2311 Sec. 721. This subtitle may be cited as the “DC Scholars Public Charter School, Inc.
2312 Revenue Bonds Project Emergency Approval Resolution of 2020”.

2313 Sec. 722. Definitions.

2314 For the purpose of this subtitle, the term:

2315 (1) “Authorized Delegate” means the Mayor or the Deputy Mayor for Planning
2316 and Economic Development, or any officer or employee of the Executive Office of the Mayor to
2317 whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of
2318 the Mayor’s functions under this subtitle pursuant to section 422(6) of the Home Rule Act (D.C.
2319 Official Code § 1-204.22(6)).

2320 (2) “Bond Counsel” means a firm or firms of attorneys designated as bond
2321 counsel from time to time by the Mayor.

2322 (3) “Bonds” means the District of Columbia revenue bonds, notes, or other
2323 obligations (including refunding bonds, notes, and other obligations), in one or more series,
2324 authorized to be issued pursuant to this subtitle.

2325 (4) “Borrower” means the owner, operator, manager and user of the assets
2326 financed, refinanced, or reimbursed with proceeds from the Bonds, which shall be DC Scholars
2327 Public Charter School, Inc., a corporation organized under the laws of the District of Columbia,
2328 and exempt from federal income taxes under section 501(a) of the Internal Revenue Code of
2329 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C § 501(a)), as an organization
2330 described in section 501(c)(3) of the Internal Revenue Code of 1986, approved August 16, 1954
2331 (68A Stat. 163; 26 U.S.C. § 501(c)(3)).

2332 (5) “Chairman” means the Chairman of the Council of the District of Columbia.

2333 (6) “Closing Documents” means all documents and agreements other than
2334 Financing Documents that may be necessary and appropriate to issue, sell, and deliver the Bonds
2335 and to make the Loan contemplated thereby, and includes agreements, certificates, letters,
2336 opinions, forms, receipts, and other similar instruments.

2337 (7) “District” means the District of Columbia.

2338 (8) “Financing Documents” means the documents other than Closing Documents
2339 that relate to the financing or refinancing of transactions to be effected through the issuance, sale,
2340 and delivery of the Bonds and the making of the Loan, including any offering document, and any
2341 required supplements to any such documents.

2342 (9) “Home Rule Act” means the District of Columbia Home Rule Act, approved
2343 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

2344 (10) “Issuance Costs” means all fees, costs, charges, and expenses paid or
2345 incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery
2346 of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal,
2347 accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection

2348 with the development and implementation of the Financing Documents, the Closing Documents,
2349 and those other documents necessary or appropriate in connection with the authorization,
2350 preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the
2351 Loan contemplated thereby, together with financing fees, costs, and expenses, including program
2352 fees and administrative fees charged by the District, fees paid to financial institutions and
2353 insurance companies, initial letter of credit fees (if any), compensation to financial advisors and
2354 other persons (other than full-time employees of the District) and entities performing services on
2355 behalf of or as agents for the District.

2356 (11) "Loan" means the District's lending of proceeds from the sale, in one or
2357 more series, of the Bonds to the Borrower.

2358 (12) "Project" means the financing, refinancing or reimbursing of all or a portion
2359 of the Borrower's costs of:

2360 (A) Financing the acquisition of a leasehold interest in an existing
2361 school facility located at 5601 East Capitol Street, S.E., Washington, D.C. 20019 (the
2362 "Facility"), which Facility will be operated by the Borrower;

2363 (B) Refinancing the outstanding amount of existing taxable loans
2364 and related expenses, the proceeds of which were used to finance improvements to the Facility;

2365 (C) Funding a debt service reserve fund with respect to the Bonds,
2366 if deemed necessary in connection with the sale of the Bonds;

2367 (D) Paying capitalized interest with respect to the Bonds, if
2368 deemed necessary in connection with the sale of the Bonds; and

2369 (E) Paying allowable Issuance Costs.

2370 Sec. 723. Findings.

2371 The Council finds that:

2372 (1) Section 490 of the Home Rule Act (D.C. Official Code § 1-204.90) provides
2373 that the Council may by act authorize the issuance of District revenue bonds, notes, or other
2374 obligations (including refunding bonds, notes, or other obligations) to borrow money to finance,
2375 refinance, or reimburse, and to assist in the financing, refinancing, or reimbursing of
2376 undertakings in certain areas designated in section 490 (D.C. Official Code § 1-204.90), and may
2377 effect the financing, refinancing, or reimbursement by loans made directly or indirectly to any
2378 individual or legal entity, by the purchase of any mortgage, note, or other security, or by the
2379 purchase, lease, or sale of any property.

2380 (2) The Borrower has requested the District to issue, sell, and deliver revenue
2381 bonds, in one or more series, in the aggregate principal amount not to exceed \$16,000,000, and
2382 to make the Loan for the purpose of financing, refinancing, or reimbursing costs of the Project.

2383 (3) The Project is located in the District and will contribute to the health,
2384 education, safety, or welfare of, or the creation or preservation of jobs for, residents of the
2385 District, or to economic development of the District.

2386 (4) The Project is an undertaking in the area of elementary, secondary, and
2387 college and university facilities within the meaning of section 490 of the Home Rule Act (D.C.
2388 Official Code § 1-204.90).

2389 (5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to
2390 the Borrower are desirable, are in the public interest, will promote the purpose and intent of
2391 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90), and will assist the Project.

2392 Sec. 724. Bond authorization.

2393 (a) The Mayor is authorized pursuant to the Home Rule Act and this subtitle to assist in
2394 financing, refinancing, or reimbursing the costs of the Project by:

2395 (1) The issuance, sale, and delivery of the Bonds, in one or more series, in the
2396 aggregate principal amount not to exceed \$16,000,000; and

2397 (2) The making of the Loan.

2398 (b) The Mayor is authorized to make the Loan to the Borrower for the purpose of
2399 financing, refinancing, or reimbursing the costs of the Project and establishing any fund with
2400 respect to the Bonds as required by the Financing Documents.

2401 (c) The Mayor may charge a program fee to the Borrower, including, but not limited to,
2402 an amount sufficient to cover costs and expenses incurred by the District in connection with the
2403 issuance, sale, and delivery of each series of the Bonds, the District's participation in the
2404 monitoring of the use of the Bond proceeds and compliance with any public benefit agreements
2405 with the District, and maintaining official records of each bond transaction and assisting in the
2406 redemption, repurchase, and remarketing of the Bonds.

2407 Sec. 725. Bond details.

2408 (a) The Mayor is authorized to take any action reasonably necessary or appropriate in
2409 accordance with this subtitle in connection with the preparation, execution, issuance, sale,
2410 delivery, security for, and payment of the Bonds of each series, including, but not limited to,
2411 determinations of:

2412 (1) The final form, content, designation, and terms of the Bonds, including a
2413 determination that the Bonds may be issued in certificated or book-entry form;

2414 (2) The principal amount of the Bonds to be issued and denominations of the
2415 Bonds;

2416 (3) The rate or rates of interest or the method for determining the rate or rates of
2417 interest on the Bonds;

2418 (4) The date or dates of issuance, sale, and delivery of, and the payment of interest
2419 on the Bonds, and the maturity date or dates of the Bonds;

2420 (5) The terms under which the Bonds may be paid, optionally or mandatorily
2421 redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before
2422 their respective stated maturities;

2423 (6) Provisions for the registration, transfer, and exchange of the Bonds and the
2424 replacement of mutilated, lost, stolen, or destroyed Bonds;

2425 (7) The creation of any reserve fund, sinking fund, or other fund with respect to
2426 the Bonds;

2427 (8) The time and place of payment of the Bonds;

2428 (9) Procedures for monitoring the use of the proceeds received from the sale of
2429 the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish
2430 the purposes of the Home Rule Act and this subtitle;

2431 (10) Actions necessary to qualify the Bonds under blue sky laws of any
2432 jurisdiction where the Bonds are marketed; and

2433 (11) The terms and types of credit enhancement under which the Bonds may be
2434 secured.

2435 (b) The Bonds shall contain a legend, which shall provide that the Bonds are special
2436 obligations of the District, are without recourse to the District, are not a pledge of, and do not
2437 involve the faith and credit or the taxing power of the District, do not constitute a debt of the

2438 District, and do not constitute lending of the public credit for private undertakings as prohibited
2439 in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

2440 (c) The Bonds shall be executed in the name of the District and on its behalf by the
2441 manual or facsimile signature of the Mayor and attested by the Secretary of the District of
2442 Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The
2443 Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's
2444 approval, on behalf of the District, of the final form and content of the Bonds.

2445 (d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or
2446 otherwise reproduced on the Bonds.

2447 (e) The Bonds of any series may be issued in accordance with the terms of a trust
2448 instrument to be entered into by the District and a trustee to be selected by the Borrower subject
2449 to the approval of the Mayor, and may be subject to the terms of one or more agreements entered
2450 into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act (D.C. Official Code § 1-
2451 204.90(a)(4)).

2452 (f) The Bonds may be issued at any time or from time to time in one or more issues and
2453 in one or more series.

2454 Sec. 726. Sale of the Bonds.

2455 (a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or
2456 below par, to one or more persons or entities, and upon terms that the Mayor considers to be in
2457 the best interest of the District.

2458 (b) The Mayor or an Authorized Delegate may execute, in connection with each sale of
2459 the Bonds, offering documents on behalf of the District, may deem final any such offering
2460 document on behalf of the District for purposes of compliance with federal laws and regulations

2461 governing such matters, and may authorize the distribution of the documents in connection with
2462 the sale of the Bonds.

2463 (c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the
2464 District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to
2465 the original purchasers of the Bonds upon payment of the purchase price.

2466 (d) The Bonds shall not be issued until the Mayor receives an approving opinion from
2467 Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is
2468 expected to be exempt from federal income taxation, the treatment of the interest on the Bonds
2469 for purposes of federal income taxation.

2470 Sec. 727. Payment and security.

2471 (a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely
2472 from proceeds received from the sale of the Bonds, income realized from the temporary
2473 investment of those proceeds, receipts and revenues realized by the District from the Loan,
2474 income realized from the temporary investment of those receipts and revenues prior to payment
2475 to the Bond owners, other moneys that, as provided in the Financing Documents, may be made
2476 available to the District for the payment of the Bonds, and other sources of payment (other than
2477 from the District), all as provided for in the Financing Documents.

2478 (b) Payment of the Bonds shall be secured as provided in the Financing Documents and
2479 by an assignment by the District for the benefit of the Bond owners of certain of its rights under
2480 the Financing Documents and Closing Documents, including a security interest in certain
2481 collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

2482 (c) The trustee is authorized to deposit, invest, and disburse the proceeds received from
2483 the sale of the Bonds pursuant to the Financing Documents.

2484 Sec. 728. Financing and Closing Documents.

2485 (a) The Mayor is authorized to prescribe the final form and content of all Financing
2486 Documents and all Closing Documents that may be necessary or appropriate to issue, sell, and
2487 deliver the Bonds and to make the Loan to the Borrower.

2488 (b) The Mayor is authorized to execute, in the name of the District and on its behalf, the
2489 Financing Documents and any Closing Documents to which the District is a party by the
2490 Mayor's manual or facsimile signature.

2491 (c) If required, the official seal of the District, or a facsimile of it, shall be impressed,
2492 printed, or otherwise reproduced on the Financing Documents and the Closing Documents to
2493 which the District is a party.

2494 (d) The Mayor's execution and delivery of the Financing Documents and the Closing
2495 Documents to which the District is a party shall constitute conclusive evidence of the Mayor's
2496 approval, on behalf of the District, of the final form and content of the executed Financing
2497 Documents and the executed Closing Documents.

2498 (e) The Mayor is authorized to deliver the executed and sealed Financing Documents and
2499 Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale,
2500 and delivery of the Bonds, and to ensure the due performance of the obligations of the District
2501 contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

2502 Sec. 729. Authorized delegation of authority.

2503 To the extent permitted by District and federal laws, the Mayor may delegate to any
2504 Authorized Delegate the performance of any function authorized to be performed by the Mayor
2505 under this subtitle.

2506 Sec. 730. Limited liability.

2507 (a) The Bonds shall be special obligations of the District. The Bonds shall be without
2508 recourse to the District. The Bonds shall not be general obligations of the District, shall not be a
2509 pledge of or involve the faith and credit or the taxing power of the District, shall not constitute a
2510 debt of the District, and shall not constitute lending of the public credit for private undertakings
2511 as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

2512 (b) The Bonds shall not give rise to any pecuniary liability of the District and the District
2513 shall have no obligation with respect to the purchase of the Bonds.

2514 (c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing
2515 Documents shall create an obligation on the part of the District to make payments with respect to
2516 the Bonds from sources other than those listed for that purpose in section 727.

2517 (d) The District shall have no liability for the payment of any Issuance Costs or for any
2518 transaction or event to be effected by the Financing Documents.

2519 (e) All covenants, obligations, and agreements of the District contained in this subtitle,
2520 the Bonds, and the executed, sealed, and delivered Financing Documents and Closing
2521 Documents to which the District is a party, shall be considered to be the covenants, obligations,
2522 and agreements of the District to the fullest extent authorized by law, and each of those
2523 covenants, obligations, and agreements shall be binding upon the District, subject to the
2524 limitations set forth in this subtitle.

2525 (f) No person, including, but not limited to, the Borrower and any Bond owner, shall have
2526 any claims against the District or any of its elected or appointed officials, officers, employees, or
2527 agents for monetary damages suffered as a result of the failure of the District or any of its elected
2528 or appointed officials, officers, employees, or agents to perform any covenant, undertaking, or
2529 obligation under this subtitle, the Bonds, the Financing Documents, or the Closing Documents,

2530 nor as a result of the incorrectness of any representation in, or omission from, the Financing
2531 Documents or the Closing Documents, unless the District or its elected or appointed officials,
2532 officers, employees, or agents have acted in a willful and fraudulent manner.

2533 Sec. 731. District officials.

2534 (a) Except as otherwise provided in section 730(f), the elected or appointed officials,
2535 officers, employees, or agents of the District shall not be liable personally for the payment of the
2536 Bonds or be subject to any personal liability by reason of the issuance, sale, or delivery of the
2537 Bonds, or for any representations, warranties, covenants, obligations, or agreements of the
2538 District contained in this subtitle, the Bonds, the Financing Documents, or the Closing
2539 Documents.

2540 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
2541 any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall
2542 be valid and sufficient for all purposes notwithstanding the fact that the individual signatory
2543 ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing
2544 Documents.

2545 Sec. 732. Maintenance of documents.

2546 Copies of the specimen Bonds and of the final Financing Documents and Closing
2547 Documents shall be filed in the Office of the Secretary of the District of Columbia.

2548 Sec. 733. Information reporting.

2549 Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the
2550 issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the
2551 Council.

2552 Sec. 734. Disclaimer.

2553 (a) The issuance of Bonds is in the discretion of the District. Nothing contained in this
2554 subtitle, the Bonds, the Financing Documents, or the Closing Documents shall be construed as
2555 obligating the District to issue any Bonds for the benefit of the Borrower or to participate in, or
2556 assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the
2557 Project. The Borrower shall have no claims for damages or for any other legal or equitable relief
2558 against the District, its elected or appointed officials, officers, employees, or agents as a
2559 consequence of any failure to issue any Bonds for the benefit of the Borrower.

2560 (b) The District reserves the right to issue the Bonds in the order or priority it determines
2561 in its sole and absolute discretion. The District gives no assurance and makes no representations
2562 that any portion of any limited amount of bonds or other obligations, the interest on which is
2563 excludable from gross income for federal income tax purposes, will be reserved or will be
2564 available at the time of the proposed issuance of the Bonds.

2565 (c) The District, by enacting this subtitle or by taking any other action in connection with
2566 financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that
2567 the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on
2568 the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the
2569 Bonds, nor any other person shall rely upon the District with respect to these matters.

2570 Sec. 735. Expiration.

2571 If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of
2572 the effective date of this act, the authorization provided in this subtitle with respect to the
2573 issuance, sale, and delivery of the Bonds shall expire.

2574 Sec. 736. Severability.

2575 If any particular provision of this subtitle, or the application thereof to any person or
2576 circumstance is held invalid, the remainder of this subtitle and the application of such provision
2577 to other persons or circumstances shall not be affected thereby. If any action or inaction
2578 contemplated under this subtitle is determined to be contrary to the requirements of applicable
2579 law, such action or inaction shall not be necessary for the purpose of issuing the Bonds, and the
2580 validity of the Bonds shall not be adversely affected.

2581

2582 **SUBTITLE C. WASHINGTON HOUSING CONSERVANCY.**

2583 Sec. 741. This subtitle may be cited as the “Washington Housing Conservancy/WHC
2584 Park Pleasant LLC Revenue Bonds Project Approval Act of 2020”.

2585 Sec. 742. Definitions.

2586 For the purposes of this subtitle, the term:

2587 (1) “Authorized Delegate” means the Mayor or the Deputy Mayor for Planning
2588 and Economic Development, or any officer or employee of the Executive Office of the Mayor to
2589 whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of
2590 the Mayor’s functions under this resolution pursuant to section 422(6) of the Home Rule Act
2591 (D.C. Official Code § 1-204.22(6)).

2592 (2) “Bond Counsel” means a firm or firms of attorneys designated as bond
2593 counsel from time to time by the Mayor.

2594 (3) “Bonds” means the District of Columbia revenue bonds, notes, or other
2595 obligations (including refunding bonds, notes, and other obligations), in one or more series,
2596 authorized to be issued pursuant to this resolution.

2597 (4) “Borrower” means the owner of the assets financed, refinanced, or reimbursed
2598 with proceeds from the Bonds, which shall be, individually or collectively, Washington Housing
2599 Conservancy, a non-profit corporation organized under the laws of the District of Columbia,
2600 and/or WHC Park Pleasant LLC, a District of Columbia limited liability company, the sole
2601 member of which is the Washington Housing Conservancy, both of which are exempt from
2602 federal income taxes under section 501(a) of the Internal Revenue Code of 1986, approved
2603 August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(a)), as organizations described in section
2604 501(c)(3) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26
2605 U.S.C. § 501(c)(3)), and which are, individually or collectively, as the case may be, liable for the
2606 repayment of the Bonds.

2607 (5) “Chairman” means the Chairman of the Council of the District of Columbia.

2608 (6) “Closing Documents” means all documents and agreements, other than
2609 Financing Documents, that may be necessary and appropriate to issue, sell, and deliver the
2610 Bonds and to make the Loan, and includes agreements, certificates, letters, opinions, forms,
2611 receipts, and other similar instruments.

2612 (7) “District” means the District of Columbia.

2613 (8) “Financing Documents” means the documents, other than Closing Documents,
2614 that relate to the financing, refinancing or reimbursement of transactions to be effected through
2615 the issuance, sale, and delivery of the Bonds and the making of the Loan, including any offering
2616 document, and any required supplements to any such documents.

2617 (9) “Home Rule Act” means the District of Columbia Home Rule Act, approved
2618 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

2619 (10) "Issuance Costs" means all fees, costs, charges, and expenses paid or
2620 incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery
2621 of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal,
2622 accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection
2623 with the development and implementation of the Financing Documents, the Closing Documents,
2624 and those other documents necessary or appropriate in connection with the authorization,
2625 preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the
2626 Loan, together with financing fees, costs, and expenses, including program fees and
2627 administrative fees charged by the District, fees paid to financial institutions and insurance
2628 companies, initial letter of credit fees (if any), and compensation to financial advisors and other
2629 persons (other than full-time employees of the District) and entities performing services on
2630 behalf of or as agents for the District.

2631 (11) "Loan" means the District's lending of proceeds from the sale, in one or
2632 more series, of the Bonds to the Borrower.

2633 (12) "Project" means the financing, refinancing, or reimbursing of all or a portion
2634 of the Borrower's costs of:

2635 (A) Acquiring and renovating real property, including a parcel of land
2636 comprising approximately 2.042 acres improved with approximately 69,910 square feet of
2637 residential rental property comprising 126 rental housing units and associated parking facilities
2638 located in Washington, D.C., commonly known as Park Pleasant Apartments with street
2639 addresses at 3339 Mt. Pleasant Street, N.W., 3360 Mt. Pleasant Street, N.W., 3354 Mt. Pleasant
2640 Street, N.W., 3348 Mt. Pleasant Street, N.W., 3342 Mt. Pleasant Street, N.W., 3336 Mt. Pleasant
2641 Street, N.W., 3351 Mt. Pleasant Street, N.W., 1331 Mt. Pleasant Street, N.W., 3327 Mt. Pleasant

2642 Street, N.W., 3323 Mt. Pleasant Street, N.W., and 1712 Newton Street, N.W. (collectively, the
2643 “Facility”);

2644 (B) Purchasing certain equipment and furnishings, together with other
2645 property, real and personal, functionally related and subordinate to the Facility;

2646 (C) Funding certain expenditures associated with the financing of the
2647 Facility, to the extent permissible, including, credit enhancement costs, liquidity costs, debt
2648 service reserve fund or working capital; and

2649 (D) Paying costs of issuance and other related costs, to the extent
2650 permissible.

2651 Sec. 743. Findings.

2652 The Council finds that:

2653 (1) Section 490 of the Home Rule Act (D.C. Official Code § 1-204.90) provides
2654 that the Council may by act authorize the issuance of District revenue bonds, notes, or other
2655 obligations (including refunding bonds, notes, or other obligations) to borrow money to finance,
2656 refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of, the
2657 costs of undertakings in certain areas designated in section 490 (D.C. Official Code § 1-204.90)
2658 and may affect the financing, refinancing, or reimbursement by loans made directly or indirectly
2659 to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by
2660 the purchase, lease, or sale of any property.

2661 (2) The Borrower has requested the District to issue, sell, and deliver revenue
2662 bonds, in one or more series pursuant to a plan of finance, in an aggregate principal amount not
2663 to exceed \$28,000,000, and to make the Loan for the purpose of financing, refinancing, or
2664 reimbursing costs of the Project.

2665 (3) The Facility is located in the District and will contribute to the health,
2666 education, safety, or welfare of, or the creation or preservation of jobs for, residents of the
2667 District, or to economic development of the District.

2668 (4) The Project is an undertaking in the area of housing, within the meaning of
2669 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90).

2670 (5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to
2671 the Borrower are desirable, are in the public interest, will promote the purpose and intent of
2672 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90), and will assist the Project.
2673 Sec. 744. Bond authorization.

2674 (a) The Mayor is authorized pursuant to the Home Rule Act and this subtitle to assist in
2675 financing, refinancing or reimbursing the costs of the Project by:

2676 (1) The issuance, sale, and delivery of the Bonds, in one or more series, in an
2677 aggregate principal amount not to exceed \$28,000,000; and

2678 (2) The making of the Loan.

2679 (b) The Mayor is authorized to make the Loan to the Borrower for the purpose of
2680 financing, refinancing or reimbursing the costs of the Project and establishing any fund with
2681 respect to the Bonds as required by the Financing Documents.

2682 (c) The Mayor may charge a program fee to the Borrower, including, but not limited to,
2683 an amount sufficient to cover costs and expenses incurred by the District in connection with the
2684 issuance, sale, and delivery of each series of the Bonds, the District's participation in the
2685 monitoring of the use of the Bond proceeds and compliance with any public benefit agreements
2686 with the District, and maintaining official records of each bond transaction, and assisting in the
2687 redemption, repurchase, and remarketing of the Bonds.

2688 Sec. 745. Bond details.

2689 (a) The Mayor and each Authorized Delegate is authorized to take any action reasonably
2690 necessary or appropriate in accordance with this subtitle in connection with the preparation,
2691 execution, issuance, sale, delivery, security for, and payment of the Bonds of each series,
2692 including, but not limited to, determinations of:

2693 (1) The final form, content, designation, and terms of the Bonds, including a
2694 determination that the Bonds may be issued in certificated or book-entry form;

2695 (2) The principal amount of the Bonds to be issued and denominations of the
2696 Bonds;

2697 (3) The rate or rates of interest or the method for determining the rate or rates of
2698 interest on the Bonds;

2699 (4) The date or dates of issuance, sale, and delivery of, and the payment of interest
2700 on, the Bonds, and the maturity date or dates of the Bonds;

2701 (5) The terms under which the Bonds may be paid, optionally or mandatorily
2702 redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before
2703 their respective stated maturities;

2704 (6) Provisions for the registration, transfer, and exchange of the Bonds and the
2705 replacement of mutilated, lost, stolen, or destroyed Bonds;

2706 (7) The creation of any reserve fund, sinking fund, or other fund with respect to
2707 the Bonds;

2708 (8) The time and place of payment of the Bonds;

2709 (9) Procedures for monitoring the use of the proceeds received from the sale of
2710 the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish
2711 the purposes of the Home Rulc Act and this subtitle;

2712 (10) Actions necessary to qualify the Bonds under blue sky laws of any
2713 jurisdiction where the Bonds are marketed; and

2714 (11) The terms and types of credit enhancement under which the Bonds may be
2715 secured.

2716 (b) The Bonds shall contain a legend, which shall provide that the Bonds are special
2717 obligations of the District, are without recourse to the District, are not a pledge of, and do not
2718 involve the faith and credit or the taxing power of the District, do not constitute a debt of the
2719 District, and do not constitute lending of the public credit for private undertakings as prohibited
2720 in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

2721 (c) The Bonds shall be executed in the name of the District and on its behalf by the
2722 manual or facsimile signature of the Mayor, and attested by the Secretary of the District of
2723 Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The
2724 Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's
2725 approval, on behalf of the District, of the final form and content of the Bonds.

2726 (d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or
2727 otherwise reproduced on the Bonds.

2728 (e) The Bonds of any series may be issued in accordance with the terms of a trust
2729 instrument to be entered into by the District and a trustee to be selected by the Borrower subject
2730 to the approval of the Mayor, and may be subject to the terms of one or more agreements entered

2731 into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act (D.C. Official Code § 1-
2732 204.90(a)(4)).

2733 (f) The Bonds may be issued at any time or from time to time in one or more issues and
2734 in one or more series.

2735 Sec. 746. Sale of the Bonds.

2736 (a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or
2737 below par, to one or more persons or entities, and upon terms that the Mayor considers to be in
2738 the best interest of the District.

2739 (b) The Mayor or an Authorized Delegate may execute, in connection with each sale of
2740 the Bonds, offering documents on behalf of the District, may deem final any such offering
2741 document on behalf of the District for purposes of compliance with federal laws and regulations
2742 governing such matters and may authorize the distribution of the documents in connection with
2743 the sale of the Bonds.

2744 (c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the
2745 District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to
2746 the original purchasers of the Bonds upon payment of the purchase price.

2747 (d) The Bonds shall not be issued until the Mayor receives an approving opinion from
2748 Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is
2749 expected to be exempt from federal income taxation, the treatment of the interest on the Bonds
2750 for purposes of federal income taxation.

2751 Sec. 747. Payment and security.

2752 (a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely
2753 from proceeds received from the sale of the Bonds, income realized from the temporary

2754 investment of those proceeds, receipts and revenues realized by the District from the Loan,
2755 income realized from the temporary investment of those receipts and revenues prior to payment
2756 to the Bond owners, other moneys that, as provided in the Financing Documents, may be made
2757 available to the District for the payment of the Bonds, and other sources of payment (other than
2758 from the District), all as provided for in the Financing Documents.

2759 (b) Payment of the Bonds shall be secured as provided in the Financing Documents and
2760 by an assignment by the District for the benefit of the Bond owners of certain of its rights under
2761 the Financing Documents and Closing Documents, including a security interest in certain
2762 collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

2763 (c) The trustee is authorized to deposit, invest, and disburse the proceeds received from
2764 the sale of the Bonds pursuant to the Financing Documents.

2765 Sec. 748. Financing and Closing Documents.

2766 (a) The Mayor is authorized to prescribe the final form and content of all Financing
2767 Documents and all Closing Documents to which the District is a party that may be necessary or
2768 appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of
2769 the Financing Documents and each of the Closing Documents to which the District is not a party
2770 shall be approved, as to form and content, by the Mayor.

2771 (b) The Mayor is authorized to execute, in the name of the District and on its behalf, the
2772 Financing Documents and any Closing Documents to which the District is a party by the
2773 Mayor's manual or facsimile signature.

2774 (c) If required, the official seal of the District, or a facsimile of it, shall be impressed,
2775 printed, or otherwise reproduced on the Financing Documents and the Closing Documents to
2776 which the District is a party.

2777 (d) The Mayor's execution and delivery of the Financing Documents and the Closing
2778 Documents to which the District is a party shall constitute conclusive evidence of the Mayor's
2779 approval, on behalf of the District, of the final form and content of the executed Financing
2780 Documents and the executed Closing Documents.

2781 (e) The Mayor is authorized to deliver the executed and sealed Financing Documents and
2782 Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale,
2783 and delivery of the Bonds, and to ensure the due performance of the obligations of the District
2784 contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

2785 Sec. 749. Authorized delegation of authority.

2786 To the extent permitted by District and federal laws, the Mayor may delegate to any
2787 Authorized Delegate the performance of any function authorized to be performed by the Mayor
2788 under this subtitle.

2789 Sec. 750. Limited liability.

2790 (a) The Bonds shall be special obligations of the District. The Bonds shall be without
2791 recourse to the District. The Bonds shall not be general obligations of the District, shall not be a
2792 pledge of, or involve the faith and credit or the taxing power of, the District, shall not constitute a
2793 debt of the District, and shall not constitute lending of the public credit for private undertakings
2794 as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

2795 (b) The Bonds shall not give rise to any pecuniary liability of the District and the District
2796 shall have no obligation with respect to the purchase of the Bonds.

2797 (c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing
2798 Documents shall create an obligation on the part of the District to make payments with respect to
2799 the Bonds from sources other than those listed for that purpose in section 747.

2800 (d) The District shall have no liability for the payment of any Issuance Costs or for any
2801 transaction or event to be effected by the Financing Documents.

2802 (e) All covenants, obligations, and agreements of the District contained in this subtitle,
2803 the Bonds, and the executed, sealed, and delivered Financing Documents and Closing
2804 Documents to which the District is a party, shall be considered to be the covenants, obligations,
2805 and agreements of the District to the fullest extent authorized by law, and each of those
2806 covenants, obligations, and agreements shall be binding upon the District, subject to the
2807 limitations set forth in this subtitle.

2808 (f) No person, including, but not limited to, the Borrower and any Bond owner, shall have
2809 any claims against the District or any of its elected or appointed officials, officers, employees, or
2810 agents for monetary damages suffered as a result of the failure of the District or any of its elected
2811 or appointed officials, officers, employees or agents to either perform any covenant, undertaking,
2812 or obligation under this subtitle, the Bonds, the Financing Documents, or the Closing
2813 Documents, or as a result of the incorrectness of any representation in or omission from the
2814 Financing Documents or the Closing Documents, unless the District or its elected or appointed
2815 officials, officers, employees, or agents have acted in a willful and fraudulent manner.

2816 Sec. 751. District officials.

2817 (a) Except as otherwise provided in section 750(f), the elected or appointed officials,
2818 officers, employees, or agents of the District shall not be liable personally for the payment of the
2819 Bonds or be subject to any personal liability by reason of the issuance, sale or delivery of the
2820 Bonds, or for any representations, warranties, covenants, obligations, or agreements of the
2821 District contained in this subtitle, the Bonds, the Financing Documents, or the Closing
2822 Documents.

2823 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
2824 any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall
2825 be valid and sufficient for all purposes notwithstanding the fact that the individual signatory
2826 ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing
2827 Documents.

2828 Sec. 752. Maintenance of documents.

2829 Copies of the specimen Bonds and of the final Financing Documents and Closing Documents
2830 shall be filed in the Office of the Secretary of the District of Columbia.

2831 Sec. 753. Information reporting.

2832 Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the issuance
2833 of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the Council.

2834 Sec. 754. Disclaimer.

2835 (a) The issuance of Bonds is in the discretion of the District. Nothing contained in this
2836 subtitle, the Bonds, the Financing Documents, or the Closing Documents shall be construed as
2837 obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or
2838 assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the
2839 Project. The Borrower shall have no claims for damages or for any other legal or equitable relief
2840 against the District, its elected or appointed officials, officers, employees, or agents as a
2841 consequence of any failure to issue any Bonds for the benefit of the Borrower.

2842 (b) The District reserves the right to issue the Bonds in the order or priority it determines
2843 in its sole and absolute discretion. The District gives no assurance and makes no representations
2844 that any portion of any limited amount of bonds or other obligations, the interest on which is

2845 excludable from gross income for federal income tax purposes, will be reserved or will be
2846 available at the time of the proposed issuance of the Bonds.

2847 (c) The District, by enacting this subtitle or by taking any other action in connection with
2848 financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that
2849 the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on
2850 the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the
2851 Bonds, nor any other person shall rely upon the District with respect to these matters.

2852 Sec. 755. Expiration.

2853 If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of
2854 the effective date of this act, the authorization provided in this subtitle with respect to the
2855 issuance, sale, and delivery of the Bonds shall expire.

2856 Sec. 756. Severability.

2857 If any particular provision of this subtitle or the application thereof to any person or
2858 circumstance is held invalid, the remainder of this subtitle and the application of such provision
2859 to other persons or circumstances shall not be affected thereby. If any action or inaction
2860 contemplated under this subtitle is determined to be contrary to the requirements of applicable
2861 law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and
2862 the validity of the Bonds shall not be adversely affected.

2863

2864 **SUBTITLE D. NATIONAL PUBLIC RADIO, INC.**

2865 Sec. 761. This subtitle may be cited as the “National Public Radio, Inc., Refunding
2866 Revenue Bonds Project Approval Act of 2020”.

2867 Sec. 762. Definitions.

2868 For the purpose of this subtitle, the term:

2869 (1) “Authorized Delegate” means the Mayor or the Deputy Mayor for Planning
2870 and Economic Development, or any officer or employee of the Executive Office of the Mayor to
2871 whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of
2872 the Mayor’s functions under this resolution pursuant to section 422(6) of the Home Rule Act
2873 (D.C. Official Code § 1-204.22(6)).

2874 (2) “Bond Counsel” means a firm or firms of attorneys designated as bond
2875 counsel from time to time by the Mayor.

2876 (3) “Bonds” means the District of Columbia revenue bonds, notes, or other
2877 obligations (including refunding bonds, notes, and other obligations), in one or more series,
2878 authorized to be issued pursuant to this resolution.

2879 (4) “Borrower” means the owner of the assets financed, refinanced, or reimbursed
2880 with proceeds from the Bonds, which shall be National Public Radio, Inc., a non-profit
2881 corporation organized and existing under the laws of the District of Columbia, and exempt from
2882 federal income taxes under section 501(a) of the Internal Revenue Code of 1986, approved
2883 August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(a)), as an organization described in section
2884 501(c)(3) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26
2885 U.S.C. § 501(c)(3)).

2886 (5) “Chairman” means the Chairman of the Council of the District of Columbia.

2887 (6) “Closing Documents” means all documents and agreements other than
2888 Financing Documents that may be necessary and appropriate to issue, sell, and deliver the Bonds
2889 and to make the Loan contemplated thereby, and includes agreements, certificates, letters,
2890 opinions, forms, receipts, and other similar instruments.

2891 (7) "District" means the District of Columbia.

2892 (8) "Financing Documents" means the documents, other than Closing Documents,
2893 that relate to the financing or refinancing of transactions to be effected through the issuance, sale,
2894 and delivery of the Bonds and the making of the Loan, including any offering document and any
2895 required supplements to any such documents.

2896 (9) "Home Rule Act" means the District of Columbia Home Rule Act, approved
2897 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

2898 (10) "Issuance Costs" means all fees, costs, charges, and expenses paid or
2899 incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery
2900 of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal,
2901 accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection
2902 with the development and implementation of the Financing Documents, the Closing Documents,
2903 and those other documents necessary or appropriate in connection with the authorization,
2904 preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the
2905 Loan contemplated thereby, together with financing fees, costs, and expenses, including program
2906 fees and administrative fees charged by the District, fees paid to financial institutions and
2907 insurance companies, letter of credit fees (if any), compensation to financial advisors and other
2908 persons (other than full-time employees of the District) and entities performing services on
2909 behalf of or as agents for the District.

2910 (11) "Loan" means the District's lending of proceeds from the sale, in one or
2911 more series, of the Bonds to the Borrower.

2912 (12) “Project” means the financing, refinancing or reimbursing of all or a portion
2913 of the Borrower’s costs (including payments of principal of, and interest on, the bonds being
2914 refunded) to:

2915 (A) Refund all or a portion of the outstanding District of Columbia
2916 Refunding Revenue Bonds (National Public Radio, Inc., Issue) Series 2013, the proceeds of
2917 which were used to advance refund a portion of the District of Columbia Revenue Bonds
2918 (National Public Radio, Inc. Issue) Series 2010 (the “Series 2010 Bonds”) and to pay Issuance
2919 Costs, which Series 2010 Bonds were used to finance, refinance or reimburse all or a portion of
2920 the costs incurred by the Borrower to acquire, develop, renovate, furnish and equip a new office,
2921 production and distribution center located at 1111 North Capitol Street, N.E., Washington, D.C.
2922 20002-7502 (Square 673, Lot 36), and to pay Issuance Costs; and

2923 (B) Refund all or a portion of the outstanding District of Columbia
2924 Refunding Revenue Bonds (National Public Radio, Inc., Issue) Series 2016, the proceeds of
2925 which were also used to advance refund a portion of the Series 2010 Bonds and to pay Issuance
2926 Costs.

2927 Sec. 763. Findings.

2928 The Council finds that:

2929 (1) Section 490 of the Home Rule Act (D.C. Official Code § 1-204.90) provides
2930 that the Council may by act authorize the issuance of District revenue bonds, notes, or other
2931 obligations (including refunding bonds, notes, or other obligations) to borrow money to finance,
2932 refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of the
2933 costs of undertakings in certain areas designated in section 490 (D.C. Official Code § 1-204.90)
2934 and may affect the financing, refinancing, or reimbursement by loans made directly or indirectly

2935 to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by
2936 the purchase, lease, or sale of any property.

2937 (2) The Borrower has requested the District to issue, sell, and deliver revenue
2938 bonds, in one or more series, in the aggregate principal amount not to exceed \$210,000,000 and
2939 to make the Loan for the purpose of financing, refinancing or reimbursing costs of the Project.

2940 (3) The Project is located in the District and will contribute to the health,
2941 education, safety, or welfare of, or the creation or preservation of jobs for, residents of the
2942 District, or to economic development of the District.

2943 (4) The Project is an undertaking in the area of education and contributes to the
2944 health, education, safety or welfare of residents of the District within the meaning of section 490
2945 of the Home Rule Act (D.C. Official Code § 1-204.90).

2946 (5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to
2947 the Borrower are desirable, are in the public interest, will promote the purpose and intent of
2948 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90), and will assist the Project.

2949 Sec. 764. Bond authorization.

2950 (a) The Mayor is authorized pursuant to the Home Rule Act and this subtitle to assist in
2951 financing, refinancing, or reimbursing the costs of the Project by:

2952 (1) The issuance, sale, and delivery of the Bonds, in one or more series, in the
2953 aggregate principal amount not to exceed \$210,000,000; and

2954 (2) The making of the Loan.

2955 (b) The Mayor is authorized to make the Loan to the Borrower for the purpose of
2956 financing, refinancing, or reimbursing the costs of the Project and establishing any fund with
2957 respect to the Bonds as required by the Financing Documents.

2958 (c) The Mayor may charge a program fee to the Borrower, including, but not limited to,
2959 an amount sufficient to cover costs and expenses incurred by the District in connection with the
2960 issuance, sale, and delivery of each series of the Bonds, the District's participation in the
2961 monitoring of the use of the Bond proceeds and compliance with any public benefit agreements
2962 with the District, and maintaining official records of each bond transaction and assisting in the
2963 redemption, repurchase, and remarketing of the Bonds.

2964 Sec. 765. Bond details.

2965 (a) The Mayor and each Authorized Delegate is authorized to take any action reasonably
2966 necessary or appropriate in accordance with this subtitle in connection with the preparation,
2967 execution, issuance, sale, delivery, security for, and payment of the Bonds of each series,
2968 including, but not limited to, determinations of:

2969 (1) The final form, content, designation, and terms of the Bonds, including a
2970 determination that the Bonds may be issued in certificated or book-entry form;

2971 (2) The principal amount of the Bonds to be issued and denominations of the
2972 Bonds;

2973 (3) The rate or rates of interest or the method for determining the rate or rates of
2974 interest on the Bonds;

2975 (4) The date or dates of issuance, sale, and delivery of, and the payment of interest
2976 on the Bonds, and the maturity date or dates of the Bonds;

2977 (5) The terms under which the Bonds may be paid, optionally or mandatorily
2978 redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before
2979 their respective stated maturities;

2980 (6) Provisions for the registration, transfer, and exchange of the Bonds and the
2981 replacement of mutilated, lost, stolen, or destroyed Bonds;

2982 (7) The creation of any reserve fund, sinking fund, or other fund with respect to
2983 the Bonds;

2984 (8) The time and place of payment of the Bonds;

2985 (9) Procedures for monitoring the use of the proceeds received from the sale of
2986 the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish
2987 the purposes of the Home Rule Act and this subtitle;

2988 (10) Actions necessary to qualify the Bonds under blue sky laws of any
2989 jurisdiction where the Bonds are marketed; and

2990 (11) The terms and types of credit enhancement under which the Bonds may be
2991 secured.

2992 (b) The Bonds shall contain a legend, which shall provide that the Bonds are special
2993 obligations of the District, are without recourse to the District, are not a pledge of, and do not
2994 involve the faith and credit or the taxing power of the District, do not constitute a debt of the
2995 District, and do not constitute lending of the public credit for private undertakings as prohibited
2996 in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

2997 (c) The Bonds shall be executed in the name of the District and on its behalf by the
2998 manual or facsimile signature of the Mayor, and attested by the Secretary of State of the District
2999 of Columbia by the Secretary of State of the District of Columbia's manual or facsimile
3000 signature. The Mayor's execution and delivery of the Bonds shall constitute conclusive evidence
3001 of the Mayor's approval, on behalf of the District, of the final form and content of the Bonds.

3002 (d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or
3003 otherwise reproduced on the Bonds.

3004 (c) The Bonds of any series may be issued in accordance with the terms of a trust
3005 instrument to be entered into by the District and a trustee to be selected by the Borrower subject
3006 to the approval of the Mayor, and may be subject to the terms of one or more agreements entered
3007 into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act (D.C. Official Code § 1-
3008 204.90(a)(4)).

3009 (f) The Bonds may be issued at any time or from time to time in one or more issues and
3010 in one or more series.

3011 Sec. 766. Sale of the Bonds.

3012 (a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or
3013 below par, to one or more persons or entities, and upon terms that the Mayor considers to be in
3014 the best interest of the District.

3015 (b) The Mayor or an Authorized Delegate may execute, in connection with each sale of
3016 the Bonds, offering documents on behalf of the District, may deem final any such offering
3017 document on behalf of the District for purposes of compliance with federal laws and regulations
3018 governing such matters and may authorize the distribution of the documents in connection with
3019 the sale of the Bonds.

3020 (c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the
3021 District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to
3022 the original purchasers of the Bonds upon payment of the purchase price.

3023 (d) The Bonds shall not be issued until the Mayor receives an approving opinion from
3024 Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is

3025 expected to be exempt from federal income taxation, the treatment of the interest on the Bonds
3026 for purposes of federal income taxation.

3027 Sec. 767. Payment and security.

3028 (a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely
3029 from proceeds received from the sale of the Bonds, income realized from the temporary
3030 investment of those proceeds, receipts and revenues realized by the District from the Loan,
3031 income realized from the temporary investment of those receipts and revenues prior to payment
3032 to the Bond owners, other moneys that, as provided in the Financing Documents, may be made
3033 available to the District for the payment of the Bonds, and other sources of payment (other than
3034 from the District), all as provided for in the Financing Documents.

3035 (b) Payment of the Bonds shall be secured as provided in the Financing Documents and
3036 by an assignment by the District for the benefit of the Bond owners of certain of its rights under
3037 the Financing Documents and Closing Documents, including a security interest in certain
3038 collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

3039 (c) The trustee is authorized to deposit, invest, and disburse the proceeds received from
3040 the sale of the Bonds pursuant to the Financing Documents.

3041 Sec. 768. Financing and Closing Documents.

3042 (a) The Mayor is authorized to prescribe the final form and content of all Financing
3043 Documents and all Closing Documents to which the District is a party that may be necessary or
3044 appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of
3045 the Financing Documents and each of the Closing Documents to which the District is not a party
3046 shall be approved, as to form and content, by the Mayor.

3047 (b) The Mayor is authorized to execute, in the name of the District and on its behalf, the
3048 Financing Documents and any Closing Documents to which the District is a party by the
3049 Mayor's manual or facsimile signature.

3050 (c) If required, the official seal of the District, or a facsimile of it, shall be impressed,
3051 printed, or otherwise reproduced on the Financing Documents and the Closing Documents to
3052 which the District is a party.

3053 (d) The Mayor's execution and delivery of the Financing Documents and the Closing
3054 Documents to which the District is a party shall constitute conclusive evidence of the Mayor's
3055 approval, on behalf of the District, of the final form and content of said executed Financing
3056 Documents and said executed Closing Documents.

3057 (e) The Mayor is authorized to deliver the executed and sealed Financing Documents and
3058 Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale,
3059 and delivery of the Bonds, and to ensure the due performance of the obligations of the District
3060 contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

3061 Sec. 769. Authorized delegation of authority.

3062 To the extent permitted by District and federal laws, the Mayor may delegate to any
3063 Authorized Delegate the performance of any function authorized to be performed by the Mayor
3064 under this subtitle.

3065 Sec. 770. Limited liability.

3066 (a) The Bonds shall be special obligations of the District. The Bonds shall be without
3067 recourse to the District. The Bonds shall not be general obligations of the District, shall not be a
3068 pledge of or involve the faith and credit or the taxing power of the District, shall not constitute a

3069 debt of the District, and shall not constitute lending of the public credit for private undertakings
3070 as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

3071 (b) The Bonds shall not give rise to any pecuniary liability of the District and the District
3072 shall have no obligation with respect to the purchase of the Bonds.

3073 (c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing
3074 Documents shall create an obligation on the part of the District to make payments with respect to
3075 the Bonds from sources other than those listed for that purpose in section 767.

3076 (d) The District shall have no liability for the payment of any Issuance Costs or for any
3077 transaction or event to be effected by the Financing Documents.

3078 (e) All covenants, obligations, and agreements of the District contained in this subtitle,
3079 the Bonds, and the executed, sealed, and delivered Financing Documents and Closing
3080 Documents to which the District is a party, shall be considered to be the covenants, obligations,
3081 and agreements of the District to the fullest extent authorized by law, and each of those
3082 covenants, obligations, and agreements shall be binding upon the District, subject to the
3083 limitations set forth in this subtitle.

3084 (f) No person, including, but not limited to, the Borrower and any Bond owner, shall have
3085 any claims against the District or any of its elected or appointed officials, officers, employees, or
3086 agents for monetary damages suffered as a result of the failure of the District or any of its elected
3087 or appointed officials, officers, employees, or agents to perform any covenant, undertaking, or
3088 obligation under this subtitle, the Bonds, the Financing Documents, or the Closing Documents,
3089 nor as a result of the incorrectness of any representation in or omission from the Financing
3090 Documents or the Closing Documents, unless the District or its elected or appointed officials,
3091 officers, employees, or agents have acted in a willful and fraudulent manner.

3092 Sec. 771. District officials.

3093 (a) Except as otherwise provided in section 770(f), the elected or appointed officials,
3094 officers, employees, or agents of the District shall not be liable personally for the payment of the
3095 Bonds or be subject to any personal liability by reason of the issuance, sale or delivery of the
3096 Bonds, or for any representations, warranties, covenants, obligations, or agreements of the
3097 District contained in this subtitle, the Bonds, the Financing Documents, or the Closing
3098 Documents.

3099 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
3100 any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall
3101 be valid and sufficient for all purposes notwithstanding the fact that the individual signatory
3102 ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing
3103 Documents.

3104 Sec. 772. Maintenance of documents.

3105 Copies of the specimen Bonds and of the final Financing Documents and Closing
3106 Documents shall be filed in the Office of the Secretary of the District of Columbia.

3107 Sec. 773. Information reporting.

3108 Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the
3109 issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the
3110 Council.

3111 Sec. 774. Disclaimer.

3112 (a) The issuance of Bonds is in the discretion of the District. Nothing contained in this
3113 subtitle, the Bonds, the Financing Documents, or the Closing Documents shall be construed as
3114 obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or

3115 assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the
3116 Project. The Borrower shall have no claims for damages or for any other legal or equitable relief
3117 against the District, its elected or appointed officials, officers, employees, or agents as a
3118 consequence of any failure to issue any Bonds for the benefit of the Borrower.

3119 (b) The District reserves the right to issue the Bonds in the order or priority it determines
3120 in its sole and absolute discretion. The District gives no assurance and makes no representations
3121 that any portion of any limited amount of bonds or other obligations, the interest on which is
3122 excludable from gross income for federal income tax purposes, will be reserved or will be
3123 available at the time of the proposed issuance of the Bonds.

3124 (c) The District, by enacting this subtitle or by taking any other action in connection with
3125 financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that
3126 the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on
3127 the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the
3128 Bonds, nor any other person shall rely upon the District with respect to these matters.

3129 Sec. 775. Expiration.

3130 If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of
3131 the effective date of this act, the authorization provided in this subtitle with respect to the
3132 issuance, sale, and delivery of the Bonds shall expire.

3133 Sec. 776. Severability.

3134 If any particular provision of this subtitle or the application thereof to any person or
3135 circumstance is held invalid, the remainder of this subtitle and the application of such provision
3136 to other persons or circumstances shall not be affected thereby. If any action or inaction
3137 contemplated under this subtitle is determined to be contrary to the requirements of applicable

3138 law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and
3139 the validity of the Bonds shall not be adversely affected.

3140

3141 **SUBTITLE E. PUBLIC WELFARE FOUNDATION, INC.**

3142 Sec. 781. This subtitle may be cited as the “Public Welfare Foundation, Inc., Revenue
3143 Bonds Project Approval Act of 2020”.

3144 Sec. 782. Definitions.

3145 For the purpose of this subtitle, the term:

3146 (1) “Authorized Delegate” means the Mayor or the Deputy Mayor for Planning and
3147 Economic Development, or any officer or employee of the Executive Office of the Mayor to whom
3148 the Mayor has delegated or to whom the foregoing individuals have subdelegated any of the
3149 Mayor’s functions under this resolution pursuant to section 422(6) of the Home Rule Act (D.C.
3150 Official Code § 1-204.22(6)).

3151 (2) “Bond Counsel” means a firm or firms of attorneys designated as bond counsel
3152 from time to time by the Mayor.

3153 (3) “Bonds” means the District of Columbia revenue bonds, notes, or other
3154 obligations (including refunding bonds, notes, and other obligations), in one or more series,
3155 authorized to be issued pursuant to this resolution.

3156 (4) “Borrower” means the owner of the assets financed or refinanced with proceeds
3157 from the Loan, which shall be Public Welfare Foundation, Inc., a non-profit corporation organized
3158 and existing under the laws of the State of Delaware, duly authorized to transact business as a
3159 foreign corporation in the District of Columbia, and exempt from federal income taxes as an

3160 organization described in section 501(c)(3) of the Internal Revenue Code of 1986, approved
3161 August 16, 1954 (68A Stat. 163; 26. U.S.C. § 501(c)(3)).

3162 (5) “Chairman” means the Chairman of the Council of the District of Columbia.

3163 (6) “Closing Documents” means all documents and agreements, other than
3164 Financing Documents that may be necessary and appropriate to issue, sell, and deliver the Bonds
3165 and to make the Loan, and includes agreements, certificates, letters, opinions, forms, receipts, and
3166 other similar instruments.

3167 (7) “District” means the District of Columbia.

3168 (8) “Financing Documents” means, the documents, other than Closing Documents,
3169 that relate to the financing, refinancing or reimbursement of transactions to be effected through the
3170 issuance, sale, and delivery of the Bonds and the making of the Loan, including any offering
3171 document and any required supplements to any such documents.

3172 (9) “Home Rule Act” means the District of Columbia Home Rule Act, approved
3173 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

3174 (10) “Issuance Costs” means all fees, costs, charges, and expenses paid or incurred
3175 in connection with the authorization, preparation, printing, issuance, sale, and delivery of the
3176 Bonds and the making of the Loan, including, but not limited to, underwriting, legal, accounting,
3177 rating agency, and all other fees, costs, charges, and expenses incurred in connection with the
3178 development and implementation of the Financing Documents, the Closing Documents, and those
3179 other documents necessary or appropriate in connection with the authorization, preparation,
3180 printing, issuance, sale, marketing, and delivery of the Bonds and the making of the Loan, together
3181 with financing fees, costs, and expenses, including program fees and administrative fees charged
3182 by the District, fees paid to financial institutions and insurance companies, initial letter of credit

3183 fees (if any), compensation to financial advisors and other persons (other than full-time employees
3184 of the District) and entities performing services on behalf of or as agents for the District.

3185 (11) "Loan" means the District's lending to the Borrower of the proceeds from the
3186 sale, in one or more series, of the Bonds.

3187 (12) "Project" means the financing, refinancing or reimbursing of the Borrower, on
3188 a tax exempt or taxable basis, for all or a portion of the Borrower's costs incurred in connection
3189 with the renovation of certain facilities of the Borrower located at 1200 U Street, NW, Washington,
3190 D.C. (the "Building") in one or more phases and comprised of the following:

3191 (A) Replacement of nearly all exterior windows of the Building and the
3192 repair of certain sheet metal and masonry;

3193 (B) Soft costs, including architectural, engineering and permitting fees, in
3194 connection therewith;

3195 (C) Purchase of certain equipment and furnishings, together with other
3196 property, real and personal, functionally related and subordinate thereto;

3197 (D) Refinancing, in whole or in part, of existing indebtedness; and

3198 (E) Certain expenditures associated therewith to the extent financeable,
3199 including, without limitation, Issuance Costs, credit costs and working capital.

3200 Sec. 783. Findings.

3201 The Council finds that:

3202 (1) Section 490 of the Home Rule Act (D.C. Official Code § 1-204.90) provides
3203 that the Council may by act authorize the issuance of District revenue bonds, notes, or other
3204 obligations (including refunding bonds, notes, or other obligations) to borrow money to finance,
3205 refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of the costs

3206 of undertakings in certain areas designated in section 490 (D.C. Official Code § 1-204.90) and
3207 may affect the financing, refinancing, or reimbursement by loans made directly or indirectly to
3208 any individual or legal entity, by the purchase of any mortgage, note, or other security, or by the
3209 purchase, lease, or sale of any property.

3210 (2) The Borrower has requested the District to issue, sell, and deliver revenue and
3211 refunding bonds, in one or more series, in an aggregate principal amount not to exceed \$13,000,000
3212 and to make the Loan for the purpose of financing, refinancing or reimbursing costs of the Project.

3213 (3) The Project is located in the District and will contribute to the health, education,
3214 safety, or welfare of, or the creation or preservation of jobs for, residents of the District, or to
3215 economic development of the District.

3216 (4) The Project is an undertaking in the area of a capital project as facilities used to
3217 house and equip operations related to the study, development, application, or production of social
3218 services within the meaning of section 490 of the Home Rule Act (D.C. Official Code § 1-204.90).

3219 (5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to the
3220 Borrower are desirable, are in the public interest, will promote the purpose and intent of section
3221 490 of the Home Rule Act (D.C. Official Code § 1-204.90), and will assist the Project.

3222 Sec. 784. Bond authorization.

3223 (a) The Mayor is authorized pursuant to the Home Rule Act and this subtitle to assist in
3224 financing, refinancing, or reimbursing the costs of the Project by:

3225 (1) The issuance, sale, and delivery of the Bonds, in one or more series, in an
3226 aggregate principal amount not to exceed \$13,000,000; and

3227 (2) The making of the Loan.

3228 (b) The Mayor is authorized to make the Loan to the Borrower for the purpose of financing,
3229 refinancing, or reimbursing the costs of the Project and establishing any fund with respect to the
3230 Bonds as required by the Financing Documents.

3231 (c) The Mayor may charge a program fee to the Borrower, including, but not limited to, an
3232 amount sufficient to cover costs and expenses incurred by the District in connection with the
3233 issuance, sale, and delivery of each series of the Bonds, the District's participation in the
3234 monitoring of the use of the Bond proceeds and compliance with any public benefit agreements
3235 with the District, and maintaining official records of each bond transaction and assisting in the
3236 redemption, repurchase, and remarketing of the Bonds.

3237 Sec. 785. Bond details.

3238 (a) The Mayor and each Authorized Delegate is authorized to take any action reasonably
3239 necessary or appropriate in accordance with this subtitle in connection with the preparation,
3240 execution, issuance, sale, delivery, security for, and payment of the Bonds of each series,
3241 including, but not limited to, determinations of:

3242 (1) The final form, content, designation, and terms of the Bonds, including a
3243 determination that the Bonds may be issued in certificated or book-entry form;

3244 (2) The principal amount of the Bonds to be issued and denominations of the Bonds;

3245 (3) The rate or rates of interest or the method for determining the rate or rates of
3246 interest on the Bonds;

3247 (4) The date or dates of issuance, sale, and delivery of, and the payment of interest
3248 on the Bonds, and the maturity date or dates of the Bonds;

3249 (5) The terms under which the Bonds may be paid, optionally or mandatorily
3250 redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before
3251 their respective stated maturities;

3252 (6) Provisions for the registration, transfer, and exchange of the Bonds and the
3253 replacement of mutilated, lost, stolen, or destroyed Bonds;

3254 (7) The creation of any reserve fund, sinking fund, or other fund with respect to the
3255 Bonds;

3256 (8) The time and place of payment of the Bonds;

3257 (9) Procedures for monitoring the use of the proceeds received from the sale of the
3258 Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish the
3259 purposes of the Home Rule Act and this subtitle;

3260 (10) Actions necessary to qualify the Bonds under blue sky laws of any jurisdiction
3261 where the Bonds are marketed; and

3262 (11) The terms and types of credit enhancement under which the Bonds may be
3263 secured.

3264 (b) The Bonds shall contain a legend, which shall provide that the Bonds are special
3265 obligations of the District, are without recourse to the District, are not a pledge of, and do not
3266 involve the faith and credit or the taxing power of the District, do not constitute a debt of the
3267 District, and do not constitute lending of the public credit for private undertakings as prohibited in
3268 section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

3269 (c) The Bonds shall be executed in the name of the District and on its behalf by the manual
3270 or facsimile signature of the Mayor, and attested by the Secretary of State of the District of
3271 Columbia by the Secretary of State of the District of Columbia's manual or facsimile signature.

3272 The Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the
3273 Mayor's approval, on behalf of the District, of the final form and content of the Bonds.

3274 (d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or
3275 otherwise reproduced on the Bonds.

3276 (e) The Bonds of any series may be issued in accordance with the terms of a trust instrument
3277 to be entered into by the District and a trustee to be selected by the Borrower subject to the approval
3278 of the Mayor, and may be subject to the terms of one or more agreements entered into by the Mayor
3279 pursuant to section 490(a)(4) of the Home Rule Act (D.C. Official Code § 1-204.90(a)(4)).

3280 (f) The Bonds may be issued at any time or from time to time in one or more issues and in
3281 one or more series.

3282 Sec. 786. Sale of the Bonds.

3283 (a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or
3284 below par, to one or more persons or entities, and upon terms that the Mayor considers to be in the
3285 best interest of the District.

3286 (b) The Mayor or an Authorized Delegate may execute, in connection with each sale of the
3287 Bonds, offering documents on behalf of the District, may deem final any such offering document
3288 on behalf of the District for purposes of compliance with federal laws and regulations governing
3289 such matters and may authorize the distribution of the documents in connection with the sale of
3290 the Bonds.

3291 (c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the
3292 District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to
3293 the original purchasers of the Bonds upon payment of the purchase price.

3294 (d) The Bonds shall not be issued until the Mayor receives an approving opinion from Bond
3295 Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is expected
3296 to be exempt from federal income taxation, the treatment of the interest on the Bonds for purposes
3297 of federal income taxation.

3298 Sec. 787. Payment and security.

3299 (a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely
3300 from proceeds received from the sale of the Bonds, income realized from the temporary investment
3301 of those proceeds, receipts and revenues realized by the District from the Loan, income realized
3302 from the temporary investment of those receipts and revenues prior to payment to the Bond owners,
3303 other moneys that, as provided in the Financing Documents, may be made available to the District
3304 for the payment of the Bonds, and other sources of payment (other than from the District), all as
3305 provided for in the Financing Documents.

3306 (b) Payment of the Bonds shall be secured as provided in the Financing Documents and by
3307 an assignment by the District for the benefit of the Bond owners of certain of its rights under the
3308 Financing Documents and Closing Documents, including a security interest in certain collateral,
3309 if any, to the trustee for the Bonds pursuant to the Financing Documents.

3310 (c) The trustee is authorized to deposit, invest, and disburse the proceeds received from the
3311 sale of the Bonds pursuant to the Financing Documents.

3312 Sec. 788. Financing and Closing Documents.

3313 (a) The Mayor is authorized to prescribe the final form and content of all Financing
3314 Documents and all Closing Documents to which the District is a party that may be necessary or
3315 appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of

3316 the Financing Documents and each of the Closing Documents to which the District is not a party
3317 shall be approved, as to form and content, by the Mayor.

3318 (b) The Mayor is authorized to execute, in the name of the District and on its behalf, the
3319 Financing Documents and any Closing Documents to which the District is a party by the Mayor's
3320 manual or facsimile signature.

3321 (c) If required, the official seal of the District, or a facsimile of it, shall be impressed,
3322 printed, or otherwise reproduced on the Financing Documents and the Closing Documents to
3323 which the District is a party.

3324 (d) The Mayor's execution and delivery of the Financing Documents and the Closing
3325 Documents to which the District is a party shall constitute conclusive evidence of the Mayor's
3326 approval, on behalf of the District, of the final form and content of said executed Financing
3327 Documents and said executed Closing Documents.

3328 (e) The Mayor is authorized to deliver the executed and sealed Financing Documents and
3329 Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale,
3330 and delivery of the Bonds, and to ensure the due performance of the obligations of the District
3331 contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

3332 Sec. 789. Authorized delegation of authority.

3333 To the extent permitted by District and federal laws, the Mayor may delegate to any
3334 Authorized Delegate the performance of any function authorized to be performed by the Mayor
3335 under this subtitle.

3336 Sec. 790. Limited liability.

3337 (a) The Bonds shall be special obligations of the District. The Bonds shall be without
3338 recourse to the District. The Bonds shall not be general obligations of the District, shall not be a

3339 pledge of or involve the faith and credit or the taxing power of the District, shall not constitute a
3340 debt of the District, and shall not constitute lending of the public credit for private undertakings as
3341 prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

3342 (b) The Bonds shall not give rise to any pecuniary liability of the District and the District
3343 shall have no obligation with respect to the purchase of the Bonds.

3344 (c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing
3345 Documents shall create an obligation on the part of the District to make payments with respect to
3346 the Bonds from sources other than those listed for that purpose in section 787.

3347 (d) The District shall have no liability for the payment of any Issuance Costs or for any
3348 transaction or event to be effected by the Financing Documents.

3349 (e) All covenants, obligations, and agreements of the District contained in this subtitle, the
3350 Bonds, and the executed, sealed, and delivered Financing Documents and Closing Documents to
3351 which the District is a party, shall be considered to be the covenants, obligations, and agreements
3352 of the District to the fullest extent authorized by law, and each of those covenants, obligations, and
3353 agreements shall be binding upon the District, subject to the limitations set forth in this subtitle.

3354 (f) No person, including, but not limited to, the Borrower and any Bond owner, shall have
3355 any claims against the District or any of its elected or appointed officials, officers, employees, or
3356 agents for monetary damages suffered as a result of the failure of the District or any of its elected
3357 or appointed officials, officers, employees, or agents to perform any covenant, undertaking, or
3358 obligation under this subtitle, the Bonds, the Financing Documents, or the Closing Documents, or
3359 as a result of the incorrectness of any representation in or omission from the Financing Documents
3360 or the Closing Documents, unless the District or its elected or appointed officials, officers,
3361 employees, or agents have acted in a willful and fraudulent manner.

3362 Sec. 791. District officials.

3363 (a) Except as otherwise provided in section 790(f), the elected or appointed officials,
3364 officers, employees, or agents of the District shall not be liable personally for the payment of the
3365 Bonds or be subject to any personal liability by reason of the issuance, sale or delivery of the
3366 Bonds, or for any representations, warranties, covenants, obligations, or agreements of the District
3367 contained in this subtitle, the Bonds, the Financing Documents, or the Closing Documents.

3368 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
3369 any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall be
3370 valid and sufficient for all purposes notwithstanding the fact that the individual signatory ceases
3371 to hold that office before delivery of the Bonds, the Financing Documents, or the Closing
3372 Documents.

3373 Sec. 792. Maintenance of documents.

3374 Copies of the specimen Bonds and of the final Financing Documents and Closing
3375 Documents shall be filed in the Office of the Secretary of the District of Columbia.

3376 Sec. 793. Information reporting.

3377 Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the
3378 issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the
3379 Council.

3380 Sec. 794. Disclaimer.

3381 (a) The issuance of Bonds is in the discretion of the District. Nothing contained in this
3382 subtitle, the Bonds, the Financing Documents, or the Closing Documents shall be construed as
3383 obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or
3384 assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the Project.

3385 The Borrower shall have no claims for damages or for any other legal or equitable relief against
3386 the District, its elected or appointed officials, officers, employees, or agents as a consequence of
3387 any failure to issue any Bonds for the benefit of the Borrower.

3388 (b) The District reserves the right to issue the Bonds in the order or priority it determines
3389 in its sole and absolute discretion. The District gives no assurance and makes no representations
3390 that any portion of any limited amount of bonds or other obligations, the interest on which is
3391 excludable from gross income for federal income tax purposes, will be reserved or will be available
3392 at the time of the proposed issuance of the Bonds.

3393 (c) The District, by enacting this subtitle or by taking any other action in connection with
3394 financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that the
3395 Project is viable or sound, that the Borrower is financially sound, or that amounts owing on the
3396 Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the Bonds, nor
3397 any other person shall rely upon the District with respect to these matters.

3398 Sec. 795. Expiration.

3399 If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of
3400 the effective date of this act, the authorization provided in this subtitle with respect to the issuance,
3401 sale, and delivery of the Bonds shall expire.

3402 Sec. 796. Severability.

3403 If any particular provision of this subtitle or the application thereof to any person or
3404 circumstance is held invalid, the remainder of this subtitle and the application of such provision to
3405 other persons or circumstances shall not be affected thereby. If any action or inaction contemplated
3406 under this subtitle is determined to be contrary to the requirements of applicable law, such action

3407 or inaction shall not be necessary for the purpose of issuing of the Bonds, and the validity of the
3408 Bonds shall not be adversely affected.

3409 **TITLE VIII. APPLICABILITY; FISCAL IMPACT STATEMENT; EFFECTIVE**
3410 **DATE**

3411 Sec. 801. Applicability.

3412 This act shall apply as of March 11, 2020.

3413 Sec. 802. Fiscal impact statement.

3414 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
3415 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
3416 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

3417 Sec. 803. Effective date.

3418 (a) This act shall take effect following approval by the Mayor (or in the event of veto by
3419 the Mayor, action by the Council to override the veto), a 30-day period of congressional review
3420 as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
3421 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
3422 Columbia Register.

3423 (b) This act shall expire after 225 days of its having taken effect.