

A BILL

24-140

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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

TABLE OF CONTENTS

TITLE I. LABOR AND WORKFORCE DEVELOPMENT 4

- Sec. 101. Wage replacement..... 4
- Sec. 102. Unemployment insurance clarification. 7
- Sec. 103. Shared work compensation program clarification. 9
- Sec. 104. Family and medical leave..... 23
- Sec. 105. Paid public health emergency leave..... 26

TITLE II. BUSINESS AND ECONOMIC DEVELOPMENT 32

- Sec. 201. Small business microgrants..... 32
- Sec. 202. Contractor advance payment..... 35
- Sec. 203. Certified Business Enterprise assistance..... 35
- Sec. 204. Alcoholic beverage regulation. 39
- Sec. 205. Third-party food delivery commissions. 52
- Sec. 207. Taxes and trade name renewals..... 54

TITLE III. CONSUMER PROTECTION AND REGULATION..... 55

- Sec. 301. Reserved..... 55
- Sec. 302. Funeral services consumer protection..... 55
- Sec. 303. Debt collection. 58
- Sec. 304. Emergency credit alerts..... 62
- Sec. 305. Enhanced penalties for unlawful trade practices..... 64
- Sec. 306. Price gouging and stockpiling..... 65
- Sec. 307. Utility shutoff..... 67
- Sec. 308. Utility payment plans. 71
- Sec. 309. Composting virtual training. 76

39 Sec. 310. Emergency Department of Insurance, Securities, and Banking authority. 77

40 Sec. 311. Vacant property designations. 79

41 Sec. 312. Extension of licenses and registrations; waiver of deadlines. 80

42 **TITLE IV. HOUSING AND TENANT PROTECTIONS..... 80**

43 Sec. 401. Mortgage relief. 80

44 Sec. 402. Tenant payment plans. 85

45 Sec. 403. Residential cleaning. 89

46 Sec. 404. Eviction prohibition. 90

47 Sec. 405. Residential tenant protections. 91

48 Sec. 406. Rent increase prohibition. 97

49 Sec. 407. Nonprofit corporations and cooperative association remote meetings. 98

50 Sec. 408. Foreclosure moratorium. 99

51 **TITLE V. HEALTH AND HUMAN SERVICES 100**

52 Sec. 501. Prescription drugs. 100

53 Sec. 502. Homeless services. 101

54 Sec. 503. Extension of care and custody for aged-out youth. 104

55 Sec. 504. Reserved. 105

56 Sec. 506. Contact tracing hiring requirements. 107

57 Sec. 507. Public health emergency authority. 108

58 Sec. 508. Public benefits clarification and continued access. 113

59 Sec. 509. Notice of modified staffing levels. 114

60 Sec. 510. Reserved. 115

61 Sec. 511. Reserved. 115

62 Sec. 512. Long-Term Care Facility reporting of positive cases. 115

63 Sec. 514. Hospital support funding. 116

64 Sec. 515. Contractor reporting of positive cases. 117

65 **TITLE VI. EDUCATION..... 120**

66 Sec. 601. Graduation requirements. 121

67 Sec. 602. Out of school time report waiver. 122

68 Sec. 603. Summer school attendance. 122

69 Sec. 604. Reserved. 123

70 Sec. 605. Reserved. 123

71 Sec. 606. Reserved. 123

72 **TITLE VII. PUBLIC SAFETY AND JUSTICE 123**

73 Sec. 701. Jail reporting. 123

74 Sec. 702. Civil rights enforcement. 124

75 Sec. 703. FEMS reassignments..... 126
76 Sec. 704. Reserved..... 126
77 Sec. 705. Reserved..... 126
78 Sec. 706. ~~Reserved. Good time credits and compassionate release.~~..... 126
79 Sec. 707. Healthcare provider liability. 130
80 Sec. 708..... 132
81 **TITLE VIII. GOVERNMENT OPERATIONS 132**
82 Sec. 801. Reserved..... 133
83 Sec. 802. Reserved..... 133
84 Sec. 803. Reserved..... 133
85 Sec. 804. Reserved..... 133
86 Sec. 805. Reserved..... 133
87 Sec. 806. Reserved..... 133
88 Sec. 807. Remote notarizations..... 133
89 Sec. 808. Reserved..... 136
90 Sec. 809. Open meetings..... 136
91 Sec. 810. Electronic witnessing. 137
92 Sec. 811. Electronic wills. 142
93 Sec. 812. Administrative hearings deadlines. 146
94 Sec. 813. Other boards and commissions. 146
95 Sec. 814. Living will declaration. 147
96 Sec. 815. ~~Reserved. Retirement Board Executive Director appointment.~~..... 148
97 Sec. 816. WMATA Board of Directors appointment. 149
98 **TITLE IX. LEGISLATIVE BRANCH 149**
99 Sec. 901. Council detailee appointment clarification. 149
100 Sec. 902. Grant budget modifications..... 150
101 Sec. 903. Budget submission requirements. 151
102 Sec. 904. Reserved..... 151
103 Sec. 905. Advisory Neighborhood Commissions..... 151
104 **TITLE X. REPEALS; APPLICABILITY; FISCAL IMPACT STATEMENT;**
105 **EFFECTIVE DATE 158**
106 Sec. 1001. Repeals. 159
107 Sec. 1002. Applicability..... 159
108 Sec. 1003. Fiscal impact statement..... 159
109 Sec. 1004. Effective date. 159
110

111 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
112 act may be cited as the “Coronavirus Support Temporary Amendment Act of 2021”.

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

114 Sec. 101. Wage replacement.

115 (a) Notwithstanding any provision of District law, but subject to applicable federal laws
116 and regulations, during a period of time for which the Mayor has declared a public health
117 emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
118 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), an affected
119 employee shall be eligible for unemployment insurance in accordance with subsection (b) of this
120 section.

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

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

127 (A) Employer has provided a date certain for the employee’s return to
128 work; or

129 (B) Employee has a reasonable expectation of continued employment with
130 the current employer.

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

135 (c) Benefits paid pursuant to this section shall not be charged to the experience rating
136 accounts of employers.

137 (d) For the purposes of this section, the term “affected employee” means an employee
138 who, except as provided in subsection (g) of this section, is otherwise eligible for UI pursuant to
139 section 9 of the District of Columbia Unemployment Compensation Act, approved August 28,
140 1935 (49 Stat. 950; D.C. Official Code § 51-109), and who is determined by the Mayor to have
141 become unemployed or partially unemployed as a result of the circumstances giving rise to the
142 public health emergency. The term “affected employee” includes an employee who has been
143 quarantined or isolated by the Department of Health or any other applicable District or federal
144 agency, an employee who has self-quarantined or self-isolated in a manner consistent with the
145 recommendations or guidance of the Department of Health, any other applicable District or
146 federal agency, or a medical professional, or an employee of an employer that ceased or reduced
147 operations due to an order or guidance from the Mayor or the Department of Health or a
148 reduction in business revenue resulting from the circumstances giving rise to the public health
149 emergency, as determined by the Mayor, all as demonstrated by reasonable documentation
150 required by the Mayor or the Mayor’s designee.

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

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

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

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

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

164 (f) If the Mayor determines that the payment of UI under this section may not be made
165 from the District Unemployment Fund or from the unemployment fund of another jurisdiction
166 due to federal law or regulation, payment may be made by the Mayor from any other source of
167 funds that is available.

168 (g) Notwithstanding any provision of District law, but subject to applicable federal laws
169 and regulations, during a period of time for which the Mayor has declared a public health
170 emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,

171 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the
172 requirements of section 9(a)(4)(B) and (5) of the District of Columbia Unemployment
173 Compensation Act, approved August 28, 1935 (49 Stat. 950; D.C. Official Code § 51-
174 109(a)(4)(B) and (5)), shall not apply.

175 Sec. 102. Unemployment insurance clarification.

176 The District of Columbia Unemployment Compensation Act, effective August 28, 1935
177 (49 Stat. 946; D.C. Official Code § 51-101 *et seq.*), is amended as follows:

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

180 “(A-i) During a period of time for which the Mayor has declared a public
181 health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of
182 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and in
183 conformity with federal law, the Director may determine that the term “employment” as defined
184 in paragraph (2)(A) of this section may include individuals who are self-employed, seeking part-
185 time employment, do not have sufficient work history, or otherwise would not qualify for regular
186 unemployment or extended benefits under District or federal law or pandemic emergency
187 unemployment compensation.”.

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

190 “(G) “Federal Pandemic Unemployment Compensation (“FPUC”) benefits
191 paid to an individual pursuant to section 2104 of the Coronavirus Aid, Relief, and Economic
192 Security Act, approved March 27, 2020 (Pub. L. No. 116-136; 134 Stat. 318), shall not be
193 charged against an employer’s account.”.

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

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

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

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

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

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

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

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

209 ability and availability requirement, when the Director considers such waiver to be in the public
210 interest.”.

211 Sec. 103. Shared work compensation program clarification.

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

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

215 (1) Paragraph (4) is repealed.

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

217 “(4A) “Health and retirement benefits” means employer-provided health benefits,
218 and retirement benefits under a defined benefit plan, as defined in section 414(j) of the Internal
219 Revenue Code of 1986, approved September 2, 1974 (88 Stat. 925; 26 U.S.C. § 414(j)), or
220 contributions under a defined contribution plan, as defined in section 414(i) of the Internal
221 Revenue Code of 1986, approved September 2, 1974 (88 Stat. 925; 26 U.S.C. § 414(i)), which
222 are incidents of employment in addition to the cash remuneration earned.

223 “(4B) “Participating employee” means an employee who voluntarily agrees to
224 participate in an employer’s shared work plan.”.

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

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

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

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

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

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

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

239 “Sec. 4. Employer participation in the shared work unemployment compensation
240 program.

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

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

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

248 “(1) Identify the affected unit (or units) to be covered by the shared work plan,

249 including:

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

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

252 “(C) Identification of each individual employee in the affected unit by

253 name and social security number;

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

255 “(E) Any other information required by the Director to identify

256 participating employees;

257 “(2) Provide a description of how employees in the affected unit will be notified

258 of the employer’s participation in the shared work unemployment compensation program if such

259 application is approved, including how the employer will notify those employees in a collective

260 bargaining unit as well as any employees in the affected unit who are not in a collective

261 bargaining unit. If the employer will not provide advance notice of the shared work plan to

262 employees in the affected unit, the employer shall explain in a statement in the application why it

263 is not feasible to provide such notice.

264 “(3) Identify the usual weekly hours of work for employees in the affected unit

265 and the specific percentage by which hours will be reduced during all weeks covered by the plan.

266 A shared work plan may not reduce participating employees’ usual weekly hours of work by less

267 than 10% or more than 60%. If the plan includes any week for which the employer regularly

268 provides no work (due to a holiday or other plant closing), then such week shall be identified in
269 the application;

270 “(4) If the employer provides health and retirement benefits to any participating
271 employee whose usual weekly hours of work are reduced under the plan, certify that such
272 benefits will continue to be provided to participating employees under the same terms and
273 conditions as though the usual weekly hours of work of such participating employee had not
274 been reduced or to the same extent as employees not participating in the shared work plan. For
275 defined benefit retirement plans, the hours that are reduced under the shared work plan shall be
276 credited for purposes of participation, vesting, and accrual of benefits as though the participating
277 employee’s usual weekly hours of work had not been reduced. The dollar amount of employer
278 contributions to a defined contribution plan that are based on a percentage of compensation may
279 be reduced due to the reduction in the participating employee’s compensation. A reduction in
280 health and retirement benefits scheduled to occur during the duration of a shared work plan that
281 is equally applicable to employees who are not participating in the plan and to participating
282 employees does not violate a certification made pursuant to this paragraph;

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

287 “(6) Agree to:

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

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

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

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

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

299 “(8) State the duration of the proposed shared work plan, which shall not exceed
300 365 days from the effective date established pursuant to section 6;

301 “(9) Provide any additional information or certifications that the Director
302 determines to be appropriate for purposes of the shared work unemployment compensation
303 program, consistent with requirements issued by the United States Secretary of Labor; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

344 “(2) For employees who are receiving or who will receive supplemental
345 unemployment benefits, as that term is defined in section 501(c)(17)(D) of the Internal Revenue

346 Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(17)(D)), during any
347 period a shared work plan is in effect; or

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

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

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

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

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

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

361 “(c) An employer may terminate a shared work plan at any time upon written notice to
362 the Director, participating employees, and a collective bargaining representative for the
363 participating employees. After receipt of such notice from the employer, the Director shall issue
364 to the employer, the appropriate collective bargaining representative, and participating

365 employees an Acknowledgment of Voluntary Termination, which shall state the date the shared
366 work plan terminated.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

390 “(b)(1) An employer must report, in writing, every proposed modification of the shared
391 work plan to the Director a least 5 calendar days before implementing the proposed modification.
392 The Director shall review the proposed modification to determine whether the modification is
393 substantial. If the Director determines that the proposed modification is substantial, the Director
394 shall notify the employer of the need to request a substantial modification.

395 “(2) An employer may request a substantial modification to a shared work plan by
396 filing a written request with the Director. The request shall identify the specific provisions of the
397 shared work plan to be modified and provide an explanation of why the proposed modification is
398 consistent with and supports the purposes of the shared work plan. A modification may not
399 extend the expiration date of the shared work plan.

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

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

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

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

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

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

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

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

416 “(2) Notwithstanding any other provision of the employment security law relating
417 to availability for work and actively seeking work, the participating employee was available for
418 the individual’s usual hours of work with the shared work employer, which may include
419 availability to participate in training to enhance job skills approved by the Director, such as
420 employer-sponsored training or training funded under the Workforce Innovation and Opportunity
421 Act, approved July 22, 2014 (128 Stat. 1425; 29 U.S.C. § 3101 *et seq.*); and

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

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

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

435 “(d) Provisions applicable to unemployment compensation claimants under the
436 employment security law shall apply to participating employees to the extent that they are not
437 inconsistent with this act. A participating employee who files an initial claim for shared work
438 benefits shall receive a monetary determination whether the individual is eligible to receive
439 benefits.

440 “(e) A participating employee who has received all of the shared work benefits or
441 combined unemployment compensation and shared work benefits available in a benefit year shall

442 be considered an exhaustee, as defined in section 7(g)(1)(H) of the District of Columbia
443 Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 949; D.C. Official Code
444 § 51–107(g)(1)(H)) (“Act”), for purposes of eligibility to receive extended benefits pursuant to
445 section 7(g) of the Act (D.C. Official Code § 51–107(g)), and, if otherwise eligible under that
446 section, shall be eligible to receive extended benefits.

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

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

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

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

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

460 “(A) If the combined hours of work in a week for both employers results
461 in a reduction of less than 10% of the usual weekly hours of work the participating employee

462 works for the shared work employer, the participating employee is not eligible for shared work
463 benefits;

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

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

477 (2) Subsection (b) is repealed

478 (3) New subsections (c) and (d) are added to read as follows:

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

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

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

488 Sec. 104. Family and medical leave.

489 The District of Columbia Family and Medical Leave Act of 1990, effective October 3,
490 1990 (D.C. Law 8-181; D.C. Official Code § 32-501 *et seq.*), is amended as follows:

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

492 “(1) “Employee” means:

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

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

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

501 “Sec. 3a. COVID-19 leave.

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

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

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

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

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

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

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

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

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

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

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

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

533 “(2) Any paid leave provided by an employer that the employee elects to use for
534 leave under this section shall count against the 16 workweeks of allowable leave provided in this
535 section.

536 “(3) If an employer has a program that allows an employee to use the paid leave
537 of another employee under certain conditions and the conditions have been met, the employee
538 may use the paid leave and the leave shall count against the 16 workweeks of leave provided in
539 this section.

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

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

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

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

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

556

557 Sec. 105. Paid public health emergency leave.

558 (a) The Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-
559 152; D.C. Official Code § 32-531.01 *et seq.*), is amended as follows:

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

563 (2) A new section 3a (to be codified at D.C. Official Code § 32-531.02a) is added
564 to read as follows:

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

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

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

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

579 week period that the employee worked for the employer, by the number of hours the employee
580 worked during that 2-week period.

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

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

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

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

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

597 “(c) Nothing in this section shall be construed to require an employer to provide an
598 employee with paid leave pursuant to this section for more than 2 full weeks of work up to 80

599 hours. If an employee uses all of the leave available under this section and subsequently informs
600 the employer of the employee’s continued need to be absent from work, the employer shall
601 inform the employee of any paid or unpaid leave to which the employee may be entitled pursuant
602 to federal or District law or the employer’s policies.

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

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

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

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

616 “(3) “Health care provider” means any doctor’s office, hospital, health care
617 center, clinic, post-secondary educational institution offering health care instruction, medical
618 school, local health department or agency, nursing facility, retirement facility, nursing home,

619 home health care provider, any facility that performs laboratory or medical testing, pharmacy, or
620 any similar institution, employer, or entity. The term “health care provider” includes any
621 permanent or temporary institution, facility, location, or site where medical services are provided
622 that are similar to such institutions.”.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

655 “(b-1)(1) Notwithstanding subsections (b) and (f) of this section, during the COVID-19
656 emergency, no more than \$500,000 of the money in the Fund may be used for activities related
657 to enforcement of the paid public health emergency leave requirement contained in section 3a of

658 the Accrued Sick and Safe Leave Act of 2008, passed on 2nd reading on June 9, 2020 (Enrolled
659 version of Bill 23-758).

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

664 **TITLE II. BUSINESS AND ECONOMIC DEVELOPMENT**

665 Sec. 201. Small business microgrants.

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

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

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

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

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

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

678 § 1-328.11 *et seq.*), and in the Mayor’s sole discretion, issue a grant or loan to an eligible small
679 business; provided, that the eligible small business:

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

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

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

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

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

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

692 “(C) Repayment of loans obtained through the United States Small
693 Business Administration.

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

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

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

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

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

710 “(2) “Eligible small business” means a business enterprise eligible for
711 certification under section 2332, a nonprofit entity, or an independent contractor or self-
712 employed individual determined ineligible for unemployment insurance by the Director of the
713 Department of Employment Services, unless the independent contractor or self-employed
714 individual is eligible for and receiving unemployment insurance benefits unrelated to their self-
715 employment or independent contractor work and is otherwise eligible for a grant pursuant to this
716 subsection.”.

717 Sec. 202. Contractor advance payment.

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

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

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

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

730

731 Sec. 203. Certified Business Enterprise assistance.

732 (a) Notwithstanding the Small and Certified Business Enterprise Development and
733 Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-
734 218.01 *et. seq.*) (“CBE Act”), or any other provision of District law or regulation, during the
735 period of the COVID-19 emergency, any contract for a government-assisted project in excess of
736 \$250,000 that is unrelated to the District’s response to the COVID-19 emergency but entered

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

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

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

746 (a-1) Notwithstanding subsection (a) of this section, a certified business enterprise
747 awarded a contract for a government-assisted project in excess of \$250,000 that is unrelated to
748 the District’s response to the COVID-19 emergency but entered into during the COVID-19
749 emergency shall:

750 (1) Perform at least 35% of the contracting effort with its own organization and
751 resources if the certified business enterprise is granted points or a price reduction pursuant to
752 section 2343 of the CBE Act or selected through a set-aside program; and

753 “(2) If the certified business enterprise subcontracts, ensure that 50% of the dollar
754 volume of the subcontracted effort be with certified business enterprises unless a waiver is
755 granted pursuant to section 2351 of the CBE Act.

756 (a-2) Notwithstanding subsection (a) of this section, a certified joint venture awarded a
757 contract for a government-assisted project in excess of \$250,000 that is unrelated to the District's
758 response to the COVID-19 emergency but entered into during the COVID-19 emergency shall:

759 (1) Perform at least 50% of the contracting effort with its own organization and
760 resources if the certified joint venture is granted points or a price reduction pursuant to section
761 2343 of the CBE Act or selected through a set-aside program; and

762 (2) If the certified joint venture subcontracts, 50% of the dollar volume of the
763 subcontracted effort shall be with certified business enterprises unless a waiver is granted
764 pursuant to section 2351 of the CBE Act.

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

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

769 (3) For every dollar expended by a beneficiary that uses a company designated as
770 both a disadvantaged business enterprise under section 2333 of the CBE Act and as a resident-
771 owned business under section 2302(15) of the CBE Act, the beneficiary shall receive a credit for
772 \$1.30 against the CBE minimum expenditure.

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

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

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

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

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

784 (5) “Government-assisted project” has the same meaning as set forth in section
785 2302(9A) of the CBE Act (D.C. Official Code § 2-218.02(9A)).

786 (6) “Longtime resident business” has the same meaning as set forth in section
787 2302(13) of the CBE Act (D.C. Official Code § 2-218.02(13)).

788 (7) “Resident-owned business” has the same meaning as set forth in section
789 2302(15) of the CBE Act (D.C. Official Code § 2-218.02(15)).

790 (8) “Small Business Enterprises” has the same meaning as set forth in section
791 2332 of the CBE Act (D.C. Official Code § 2-218.32).

792 (d) Contracts entered into on an emergency basis or that are made in furtherance of, or that
793 are related to, the District’s response to the COVID-19 emergency shall not be subject to the
794 requirements of the CBE Act or the First Source Employment Agreement Act of 1984, effective June
795 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.01 *et seq.*).

796 Sec. 204. Alcoholic beverage regulation.

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

798 (a) Chapter 1 is amended as follows:

799

800 (1) Section 25-113(a) is amended as follows:

801 (A) Paragraph (3) is amended by adding new subparagraph (D) to read as
802 follows:

803 “(D)(i) An on-premises retailer’s licensee, class C/R, D/R, C/T, D/T, C/H,
804 D/H, C/N, D/N, C/X, or D/X, including a multipurpose facility or private club, that is registered
805 with the Board under subparagraph (C) of this paragraph may also register with the Board to sell,
806 on a temporary basis, beer, wine, or spirits for on-premises consumption indoors and to sell beer,
807 wine, or spirits in closed containers accompanied by one or more prepared food items for off-
808 premises consumption from up to 2 additional locations other than the licensed premises.

809 “(ii) Board approval shall not be required for the additional
810 registration under this subparagraph; provided, that:

811 “(I) The licensee separately registers with the Board and
812 receives written authorization from ABRA prior to offering beer, wine, or spirits for carryout or
813 delivery or on-premises consumption indoors at the additional location;

814 “(II) For carry-out and delivery, the licensee, the additional
815 location’s owner, or a prior tenant at the additional location possesses a valid certificate of

ENGROSSED ORIGINAL

816 occupancy for the building used as the additional location, unless the additional location is
817 located on outdoor private space;

818 “(III) For on-premises consumption indoors, the additional
819 location’s owner or a prior tenant at the additional location possesses a valid certificate of
820 occupancy for a restaurant or other eating or drinking establishment;

821 “(IV) The licensee has been legally authorized by the
822 owner of the building or the property utilized as the additional location to utilize the space for
823 carryout and delivery, or indoor dining;

824 “(V) The licensee agrees to follow all applicable District
825 laws, regulations, guidance documents, administrative orders, including Mayor’s Orders, and
826 permit requirements or conditions, which may contain requirements that supersede provisions
827 contained in this section; and

828 “(VI) The additional location from which the licensee
829 intends to offer alcoholic beverages for carryout or delivery or on-premises consumption for
830 indoor dining is located in a commercial or mixed-use zone as defined in the zoning regulations
831 for the District.

832 “(iii) An on-premises retailer’s license, class C/R, D/R, C/T, D/T,
833 C/H, D/H, C/N, D/N, C/X, or D/X, including a multipurpose facility or private club, may sell,
834 serve, and allow the consumption of beer, wine, or spirits indoors on the premises of the

ENGROSSED ORIGINAL

835 additional location pursuant to sub-subparagraph (i) of this paragraph; provided, that the licensee
836 shall:

837 “(I) Limit its indoor capacity to no more than 50% of the
838 lowest indoor occupancy load or seating capacity on its certificate of occupancy, excluding
839 employees and any separately registered outdoor seating;

840 “(II) Place indoor tables serving separate parties at least 6
841 feet apart from one another;

842 “(III) Ensure for non-movable communal tables that parties
843 are seated at least 6 feet apart from one another and that the communal table is marked with 6
844 foot divisions, such as with tape or signage;

845 “(IV) Ensure that all indoor dining customers are seated
846 and place orders and are served food or alcoholic beverages at tables;

847 “(V) Prohibit events and activities that would require
848 patrons to be standing, cluster, or be in close contact with one another, including dancing,
849 playing darts, bowling, ping pong, pool, throwing axes, or indoor playgrounds;

850 “(VI) Prohibit patrons from bringing their own alcoholic
851 beverages;

852 “(VII) Prohibit self-service buffets;

853 “(VIII) Have a menu in use containing a minimum of 3
854 prepared food items available for purchase by patrons;

ENGROSSED ORIGINAL

855 “(IX) Require the purchase of one or more prepared food
856 items per table;

857 “(X) Ensure that prepared food items offered for sale or
858 served to patrons are prepared on the licensed premises or off-premises at another licensed entity
859 that has been approved to sell and serve food by the District of Columbia Department of Health
860 (“DC Health”);

861 “(XI) Restrict its operations, excluding carry-out and
862 delivery, and the sale, service, or the consumption of alcoholic beverages indoors for on-
863 premises consumption to the hours between 6:00 a.m. and midnight, Sunday through Saturday,
864 effective October 1, 2020;

865 “(XII) Not have more than 6 individuals seated at a table or
866 a joined table;

867 “(XIII) Require patrons to wait outside at least 6 feet apart
868 until they are ready to be seated or make an on-site reservation;

869 “(XIV) Not provide live music or entertainment on the
870 registered indoor space without a waiver from the District of Columbia Homeland Security and
871 Emergency Management Agency; except, that background or recorded music played at a
872 conversational level that is not heard in the homes of District residents shall be permitted;

873 “(XV) Not serve alcoholic beverages or food to standing
874 patrons;

ENGROSSED ORIGINAL

875 “(XVI) Prohibit standing at indoor bars and only permit
876 seating at indoor bars that are not being staffed or utilized by a bartender;

877 “(XVII) Require a minimum of 6 feet between parties
878 seated at indoor bars, rail seats, or communal tables;

879 “(XVIII) Provide and require that wait staff wear masks;

880 “(XIX) Require that patrons wear masks or face coverings
881 when waiting in line outside of the establishment or while traveling to use the restroom or until
882 they are seated and eating or drinking;

883 “(XX) Implement a reservation system by phone, on-line,
884 or on-site and consider keeping customer logs to facilitate contact tracing by DC Health;

885 “(XXI) Implement sanitization and disinfection protocols
886 including the provision of single use condiment packages; and

887 “(XXII) Have its own clearly delineated indoor space and
888 not share tables and chairs with another business.

889 “(iv) An on-premises retailer licensee shall not offer beer, wine, or
890 spirits for carryout and delivery on public space; except, that an additional location under this
891 subparagraph may include a sidewalk café that has been issued a public space permit by the
892 District Department of Transportation (“DDOT”).

893 “(v) An on-premises retailer’s licensee who has been registered to
894 offer beer, wine, or spirits for carryout or delivery in accordance with this subparagraph shall do
895 so only at the additional location.

896 “(vi) An on-premises retailer licensee who has been registered to
897 offer beer, wine, or spirits for carryout or delivery or on-premises alcohol consumption for
898 indoor dining in accordance with this subparagraph may do so for no longer than 60 calendar
899 days. The Board may approve a written request from an on-premises retailer’s licensee to extend
900 carryout or delivery alcohol sales or on-premises alcohol sales and consumption for indoor
901 dining from an additional location pursuant to this subparagraph for one additional 30 calendar-
902 day period. A licensee shall not offer beer, wine, or spirits for carryout or delivery for off-
903 premises consumption or on-premises alcohol sales and consumption for indoor dining from the
904 additional location for more than 90 calendar days unless a completed application to do so has
905 been filed with the Board with notice provided to the public in accordance with § 25-421.

906 “(vii) The on-premises retailer licensee may sell and deliver
907 alcoholic beverages for carryout and delivery from an additional location in accordance with this
908 subparagraph only between the hours of 6:00 a.m. and 1:00 a.m., 7 days a week, effective
909 October 1, 2020.

910 “(viii) The Board may fine, suspend, cancel, or revoke an on-
911 premises retailer’s license, and shall revoke its registration to offer beer, wine, or spirits for
912 carryout or delivery or on-premises alcohol sales and consumption of the indoor location at the

913 additional location if the licensee fails to comply with sub-subparagraphs (i) through (vi) of this
914 subparagraph.”.

915 “(ix) Notwithstanding sub-subparagraph (iii) of this subparagraph, if an
916 on-premises retailer’s license, class C or D, has a settlement agreement governing its operations,
917 the Board shall interpret the settlement agreement language that restricts the indoor sale, service,
918 and consumption of beer, wine, or spirits to on-premises as applying only to indoor sales,
919 service, or consumption of beer, wine, or spirits at the licensed premises and not the additional
920 location on a temporary basis because prior to the Coronavirus pandemic this new registration
921 process was not available to eligible licensees.

922 (B) A new paragraph (6) is added to read as follows:

923 “(6)(A) An on-premises retailer’s licensee, class C/R, D/R, C/T, D/T, C/H, D/H,
924 C/N, D/N, C/X, or D/X, including a multipurpose facility or private club, or a manufacturer’s
925 licensee, class A or B, with an on-site sales and consumption permit, or a Convention Center
926 food and alcohol business may register with the Board at no cost to sell, serve, and permit the
927 consumption of beer, wine, or spirits on new or expanded temporary ground floor or street level
928 outdoor public or private space not listed on its existing license. Upon registration, Board
929 approval shall not be required; provided, that the licensee:

930 “(i) Registers with the Board and receives written authorization
931 from ABRA prior to selling, serving, or permitting the consumption of beer, wine, or spirits on
932 the proposed outdoor public or private space;

933 “(ii) Registers with DDOT prior to operating on any proposed
934 outdoor public space or receives written approval from the property owner prior to utilizing any
935 proposed outdoor private space; and

936 “(iii) Agrees to follow all applicable District laws, regulations,
937 guidance documents, administrative orders, including Mayor’s Orders and permit requirements
938 or conditions, which may contain requirements that supersede provisions contained in this
939 section.

940 “(B) An on-premises retailer’s license, class C or D, or a manufacturer’s
941 license, class A or B, with an on-site sales and consumption permit, or a Convention Center food
942 and alcohol business that has registered with the Board to sell, serve, and permit the consumption
943 of beer, wine, and spirits to seated patrons on outdoor public or private space not listed on its
944 existing license in accordance with subparagraph (A) of this paragraph shall:

945 “(i) Place tables on the outdoor public or private space so that
946 patrons in separate parties are at least 6 feet apart from one another;

947 “(ii) Ensure that all outdoor dining customers are seated and place
948 orders and are served food or alcoholic beverages at tables;

949 “(iii) Prohibit events and activities that would require patrons to
950 cluster or be in close contact with one another, including dancing, playing darts, video games, or
951 other outdoor games;

952 “(iv) Prohibit patrons from bringing their own alcoholic beverages;

ENGROSSED ORIGINAL

- 953 “(v) Prohibit self-service buffets;
- 954 “(vi) Have a menu in use containing a minimum of 3 prepared food
955 items available for purchase by patrons;
- 956 “(vii) Require the purchase of one or more prepared food items per
957 table;
- 958 “(viii) Ensure that prepared food items offered for sale or served to
959 patrons are prepared on the licensed premises or off-premises at another licensed entity that has
960 been approved to sell and serve food by DC Health;
- 961 “(ix) Ensure that the proposed outdoor public or private space is
962 located in a commercial or mixed-use zone as defined in the District’s zoning regulations;
- 963 “(x) Restrict its operations, excluding carry-out and delivery, and
964 the sale, service, or the consumption of alcoholic beverages outdoors for on-premises
965 consumption to the hours between 6:00 a.m. and midnight, Sunday through Saturday, effective
966 October 1, 2020;
- 967 “(xi) Not have more than 6 individuals seated at a table;
- 968 “(xii) Require patrons to wait outside at least 6 feet apart until they
969 are ready to be seated or make an on-site reservation;
- 970 “(xiii) Not provide live music or entertainment, except for
971 background or recorded music played at a conversational level that is not heard in the homes of
972 District residents;

973 “(xiv) Not serve alcoholic beverages or food to standing patrons;

974 “(xv) Prohibit standing at outdoor bars and only permit seating at
975 outdoor bars that are not being staffed or utilized by a bartender;

976 “(xvi) Abide by the terms of their public space permit with regard
977 to the allowable placement of alcohol advertising, if any, in outdoor public space;

978 “(xvii) Provide and require that wait staff wear masks;

979 “(xviii) Require that patrons wear masks or face coverings while
980 waiting in line outside of the restaurant or while traveling to use the restroom or until they are
981 seated and eating or drinking;

982 “(xix) Implement a reservation system by phone, on-line, or on-site
983 and consider keeping customer logs to facilitate contact tracing by DC Health;

984 “(xx) Implement sanitization and disinfection protocols including
985 the provision of single-use condiment packages; and

986 “(xxi) Have its own clearly delineated outdoor space and not share
987 tables and chairs with another business.

988 “(C) Registration under subparagraph (A) of this paragraph shall be valid
989 until December 31 2021.

990 “(D) The Board may fine, suspend, or revoke an on-premises retailer’s
991 licensee, class C or D, or a manufacturer’s licensee, class A or B, with an on-site sales and
992 consumption permit, and shall revoke the registration to sell, serve, or permit the consumption of

993 beer, wine, or spirits on outdoor public or private space not listed on the license, if the licensee
994 fails to comply with subparagraph (A) or (B) of this paragraph.

995 “(E)(i) Notwithstanding subparagraph (B) of this paragraph, the Board
996 shall interpret settlement agreement language that restricts sidewalk cafés or summer gardens as
997 applying only to those outdoor spaces that are currently licensed by the Board as sidewalk cafés
998 or summer gardens.

999 “(ii) The Board shall not interpret settlement agreement language
1000 that restricts or prohibits sidewalk cafés or summer gardens to apply to new or extended outdoor
1001 space, the use of which is now permitted under this paragraph.

1002 “(iii) The Board shall not interpret settlement agreement language
1003 that restricts or prohibits the operation of permanent outdoor space to mean prohibiting the
1004 temporary operation of sidewalk cafés or summer gardens.

1005 “(iv) The Board shall require all on-premises retailer licenses, class
1006 C or D, or manufacturer licenses, class A or B, with an on-site sales and consumption permit, to
1007 delineate or mark currently licensed outdoor space from new or extended outdoor space
1008 authorized by the DDOT or the property owner.

1009 “(v) With regard to existing outdoor public or private space, parties
1010 to a settlement agreement shall be permitted to waive provisions of settlement agreements that
1011 address currently licensed outdoor space for a period not to exceed 180 days.

1012 “(E) For purposes of this paragraph, ground floor or street level sidewalk
1013 cafés or summer gardens enclosed by awnings or tents having no more than one side shall be
1014 considered outdoor space. Areas enclosed by retractable glass walls and other forms of operable
1015 walls shall not be considered outdoor dining. Temporary unlicensed rooftops and summer
1016 gardens not located on the ground floor or street level are not eligible for registration under
1017 subparagraph (A) of this paragraph.

1018 “(F) A manufacturer’s licensee, class A or B, with an on-site sales and
1019 consumption permit or a retailer’s licensee class C/T, D/T, C/N, D/N, C/X, or D/X, may partner
1020 with a food vendor during its operating hours to satisfy the requirement of subparagraph (B)(vi)
1021 of this paragraph; provided, that patrons are seated when ordering and ordered food is delivered
1022 by the licensee or the food vendor to the seated patron.”.

1023 (2) Section 25-113.01 is amended by adding a new subsection (c-1) to read as
1024 follows:

1025 “(c-1) Notwithstanding subsection (c) of this section, an on-premises retailer’s licensee,
1026 class C or D, or manufacturer’s licensee, class A or B, with an on-site sales and consumption
1027 permit may conduct business on ground floor or street level outdoor public or private space,
1028 including the sale, service, and consumption alcoholic beverages; provided, that the licensee
1029 complies with § 25-113(a)(6).”.

1030 (b) Chapter 4 is amended as follows:

1031 (1) Section 25-401(c) is amended by striking the phrase “shall sign a notarized
1032 statement certifying” and inserting the phrase “shall sign a statement with an original signature,
1033 which may be a signature by wet ink, an electronic signature, or a signed copy thereof,
1034 certifying” in its place.

1035 (2) Section 25-403(a) is amended by striking the phrase “verify, by affidavit,” and
1036 inserting the word “self-certify” in its place.

1037 (3) Section 25-421(e) is amended by striking the phrase “by first-class mail,
1038 postmarked not more than 7 days after the date of submission” and inserting the phrase “by
1039 electronic mail on or before the first day of the 66-day public comment period” in its place.

1040 (4) Section 25-423 is amended as follows:

1041 (A) Subsection (e) is amended as follows:

1042 (i) Strike the phrase “45-day protest period” and insert the phrase
1043 “66-day protest period” in its place.

1044 (ii) Strike the phrase “45 days” and insert the phrase “66 days” in
1045 its place.

1046 (B) Subsection (h) is amended by striking the phrase “45-day public
1047 comment period” and inserting the phrase “66-day public comment period” in its place.

1048 (5) Section 25-431 is amended as follows:

1049 (A) Subsection (f) is amended by striking the phrase “45-day protest period”
1050 and inserting the phrase “66-day protest period” in its place.

1051 (B) Subsection (g) is amended by striking the phrase “45 days” and inserting
1052 the phrase “66 days” in its place.

1053 (c) Section 25-791(a)(1) is amended by striking the phrase “21 or more calendar days,”
1054 and inserting the phrase “21 or more calendar days, excluding each day during a period of time
1055 for which the Mayor has declared a public health emergency pursuant to § 7-2304.01,” in its
1056 place.

1057 Sec. 205. Third-party food delivery commissions.

1058 (a) During a period of time for which the Mayor has declared a public health emergency
1059 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
1060 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01) (“public health
1061 emergency”), a person, corporation, partnership, or association operating a third-party food
1062 platform within the District shall register with the Department of Consumer and Regulatory
1063 Affairs.

1064 (b) Notwithstanding any provision of District law, during a public health emergency, it
1065 shall be unlawful for a person to cause a third-party food delivery platform to charge a
1066 restaurant:

1067 (1) A commission fee for the use of the platform’s services for delivery that totals
1068 more than 15% of the purchase price per online order; or

1069 (2) A commission fee for use of the platform’s services that totals more than 5%
1070 of the purchase price per online order where the platform does not provide delivery of an order,

1071 including orders that are picked up from the restaurant by the customer or for which the
1072 restaurant provides its own delivery service.”.

1073 (c) It shall be unlawful for a person to cause a third-party food delivery platform to
1074 reduce the compensation rate paid to a delivery service driver or garnish gratuities in order to
1075 comply with subsection (b) of this section.

1076 (d) During a public health emergency, at the time a final price is disclosed to a customer
1077 for the intended purchase and delivery of food from a restaurant through a third-party food
1078 delivery platform and before that transaction is completed by the customer, the third-party food
1079 delivery platform shall disclose to the customer, in plain language and in a conspicuous manner,
1080 any commission, fee, or any other monetary payment charged to the customer by the third-party
1081 food delivery platform.

1082 (e)(1) A person who violates this section shall be subject to a fine of not less than \$250
1083 and not more than \$1,000 for each such violation.

1084 (2) A violation of this section shall be a civil infraction for purposes of the
1085 Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October
1086 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*).

1087 (f) For purposes of this section, the term:

1088 (1) “Online order” means an order placed by a customer through a platform
1089 provided by the third-party food delivery service for delivery or pickup within the District.

1090 (2) “Purchase price” means the menu price of an online order, excluding taxes,
1091 gratuities, or any other fees that may make up the total cost to the customer of an online order.

1092 (3) “Restaurant” shall have the same meaning as provided in D.C. Official Code §
1093 25-101(43).

1094 (4) “Third-party food delivery platform” means any website, mobile application,
1095 or other internet service that offers or arranges for the sale of food and beverages prepared by,
1096 and the same-day delivery or same-day pickup of food and beverages from, restaurants.

1097 (g) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure
1098 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue
1099 rules to implement the provisions of this section.

1100 (h) Nothing in this section limits or otherwise impacts the requirement of a third-party
1101 food delivery platform to collect and remit sales tax imposed under Chapter 20 of Title 47 of the
1102 District of Columbia Official Code.

1103 Sec. 207. Taxes and trade name renewals.

1104 Title 47 of the District of Columbia Official Code is amended as follows:

1105 (a) Section 47-1803.02(a)(2) is amended by adding new subparagraphs (GG), (HH), and
1106 (II) to read as follows:

1107 “(GG) Small business loans awarded and subsequently forgiven under
1108 section 1106 of the Coronavirus Aid, Relief, and Economic Security Act, approved March 27,
1109 2020 (Pub. L. No. 116-136; 134 Stat. 281).

1110 “(HH) Public health emergency small business grants awarded pursuant to
1111 section 2316 of the Small and Certified Business Enterprise Development and Assistance Act of
1112 2005, passed on 2nd reading on June 9, 2020 (Enrolled version of Bill 23-758).

1113 “(II) Public health emergency grants authorized pursuant to section 16(m)(1)
1114 of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law
1115 1-58; D.C. Official Code § 1-309.13(m)(1)).”.

1116 (b) Section 47-1803.03(a)(14) is amended by adding a new subparagraph (H) to read as
1117 follows:

1118 “(H) For tax years beginning after December 31, 2017, corporations,
1119 unincorporated businesses, or financial institutions shall be allowed an 80% deduction for
1120 apportioned District of Columbia net operating loss carryover to be deducted from the net
1121 income after apportionment.”.

1122 **TITLE III. CONSUMER PROTECTION AND REGULATION**

1123 Sec. 301. Reserved.

1124 Sec. 302. Funeral services consumer protection.

1125 (a) The District of Columbia Funeral Services Regulatory Act of 1984, effective May 22,
1126 1984 (D.C. Law 5-84; D.C. Official Code § 3-401 *et seq.*), is amended by adding a new section
1127 4a to read as follows:

1128 “Sec. 4a. Funeral Bill of Rights.

1129 For a period of time for which the Mayor has declared a public health emergency
1130 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
1131 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), there shall be established
1132 a Funeral Bill of Rights designed to inform consumers of required pricing disclosures and other
1133 available consumer rights. The Department of Consumer and Regulatory Affairs, in consultation
1134 with the Board of Funeral Directors and the Attorney General for the District of Columbia
1135 (“Attorney General”), shall write the Funeral Bill of Rights, which shall be published in the
1136 District of Columbia Register no later than May 8, 2020. If the foregoing does not occur on or
1137 before May 1, 2020, the Attorney General may write the Funeral Bill of Rights and shall have it
1138 published in the District of Columbia Register no later than May 15, 2020.”.

1139 (b) Section 28-3904 of the District of Columbia Official Code is amended as follows:

1140 (1) Subsection (jj) is amended by striking the phrase “; or” and inserting a
1141 semicolon in its place.

1142 (2) Subsection (kk) is amended by striking the period at the end and inserting the
1143 phrase “; or” in its place.

1144 (3) New subsections (ll) and (mm) are added to read as follows:

1145 “(ll) violate any provision of 17 DCMR § 3013; or”

1146 “(mm) violate any provision of 17 DCMR § 3117.”.

1147 (c) Title 17 of the District of Columbia Municipal Regulations (17 DCMR § 100 *et seq.*)
1148 is amended as follows:

1149 (1) Section 3013.2(l) (17 DCMR § 3013.2(l)) is amended as follows:

1150 (A) The lead-in language of subparagraph (8) is amended by striking the
1151 phrase “customer, or failing to passing” and inserting the phrase “customer, failing to provide to
1152 the customer any receipts for amounts advanced, paid, or owed to third parties on behalf of the
1153 customer, or failing to pass” in its place.

1154 (B) Subparagraph (24) is amended by striking the phrase “; or” and
1155 inserting a semicolon in its place.

1156 (C) Subparagraph (25) is amended by striking the period at the end and
1157 inserting a semicolon in its place.

1158 (D) New subparagraphs (26), (27), (28), and (29) are added to read as
1159 follows:

1160 “(26) Failing to clearly and conspicuously post a General Price List, a Casket
1161 Price List, or an Outer Burial Container Price List that meets the requirements of the Funeral
1162 Industry Practices Rules of the Federal Trade Commission (16 C.F.R. § 453 *et seq.*) on any
1163 website maintained by the applicant or licensee;

1164 “(27) Failing to provide to any customer a General Price List, a Casket Price List,
1165 or an Outer Burial Container Price List that meets the requirements of the Funeral Industry
1166 Practices Rules of the Federal Trade Commission (16 C.F.R. § 453 *et seq.*);

1167 “(28) Failing to clearly and conspicuously post the Funeral Bill of Rights, as
1168 specified in section 4a of the District of Columbia Funeral Services Regulatory Act of 1984,

1169 passed on 2nd reading on June 9, 2020 (Enrolled version of Bill 23-758), on any website
1170 maintained by the applicant or licensee; or

1171 “(29) Failing to provide to any customer the Funeral Bill of Rights, as specified in
1172 section 4a of the District of Columbia Funeral Services Regulatory Act of 1984, passed on 2nd
1173 reading on June 9, 2020 (Enrolled version of Bill 23-758), during an initial meeting to discuss or
1174 make arrangements for the purchase of funeral goods or services.”.

1175 (2) Section 3110 (17 DCMR § 3110) is amended by adding a new subsection
1176 3110.9 to read as follows:

1177 “3110.9 A funeral services establishment shall keep and retain records documenting any
1178 required disclosures to consumers, including disclosure of its General Price List, Casket Price
1179 List, and Outer Burial Container Price List, and the Funeral Bill of Rights signed by the
1180 consumer, as specified in section 4a of the District of Columbia Funeral Services Regulatory Act
1181 of 1984, passed on 2nd reading on June 9, 2020 (Enrolled version of Bill 23-758), after the
1182 completion or termination of a funeral contract.”.

1183 Sec. 303. Debt collection.

1184 Section 28-3814 of the District of Columbia Official Code is amended as follows:

1185 (a) Subsection (b) is amended as follows:

1186 (1) New paragraphs (1A) and (1B) are added to read as follows:

1187 “(1A) “collection lawsuit” means any legal proceeding, including

1188 civil actions, statements of small claims, and supplementary process actions, commenced in any
1189 court for the purpose of collecting any debt or other past due balance owed or alleged to be
1190 owed.

1191 “(1B) “debt” means money or its equivalent which is, or is alleged to be, more
1192 than 30 days past due and owing, unless a different period is agreed to by the debtor, under a
1193 single account as a result of a purchase, lease, or loan of goods, services, or real or personal
1194 property for personal, family, or household purposes or as a result of a loan of money that was
1195 obtained for personal, family, or household purposes whether or not the obligation has been
1196 reduced to judgment.”.

1197 (2) A new paragraph (4) is added to read as follows:

1198 “(4) “public health emergency” means a period of time for which the Mayor has
1199 declared a public health emergency pursuant to § 7-2304.01, or a state of emergency pursuant to
1200 § 28-4102.”.

1201 (b) New subsections (l), (m), and (n) are added to read as follows:

1202 “(l)(1) Notwithstanding subsection (a) of this section, subsections (l) and (m) of this
1203 section shall apply to any debt, including loans directly secured on motor vehicles or direct
1204 motor vehicle installment loans covered by Chapter 36 of Title 28.

1205 “(2) During a public health emergency and for 60 days after its conclusion, no
1206 creditor or debt collector shall, with respect to any debt:

1207 “(A) Initiate, file, or threaten to file any new collection lawsuit;

1208 “(B) Initiate, threaten to initiate, or act upon any statutory remedy for the
1209 garnishment, seizure, attachment, or withholding of wages, earnings, property, or funds for the
1210 payment of a debt to a creditor;

1211 “(C) Initiate, threaten to initiate, or act upon any statutory remedy for the
1212 repossession of any vehicle; except, that creditors or debt collectors may accept collateral that is
1213 voluntarily surrendered;

1214 “(D) Visit or threaten to visit the household of a debtor at any time for the
1215 purpose of collecting a debt;

1216 “(E) Visit or threaten to visit the place of employment of a debtor at any
1217 time; or

1218 “(F) Confront or communicate in person with a debtor regarding the
1219 collection of a debt in any public place at any time, unless initiated by the debtor.

1220 “(3) This subsection shall not apply to:

1221 “(A) Collecting or attempting to collect a debt that is, or is alleged to be,
1222 owed on a loan secured by a mortgage on real property or owed for common expenses pursuant
1223 to § 42-1903.12; or

1224 “(B) Collecting or attempting to collect delinquent debt pursuant to the
1225 Delinquent Debt Recovery Act of 2012, effective September 20, 2012 (D.C. Law 19–168; D.C.
1226 Official Code § 1–350.01 et seq.).”.

1227 “(4) Any statute of limitations on any collection lawsuit is tolled during the
1228 duration of the public health emergency and for 60 days thereafter.

1229 “(m)(1) During a public health emergency and for 60 days after its conclusion, no debt
1230 collector shall initiate any communication with a debtor via any written or electronic
1231 communication, including email, text message, or telephone. A debt collector shall not be
1232 deemed to have initiated a communication with a debtor if the communication by the debt
1233 collector is in response to a request made by the debtor for the communication or is the mailing
1234 of monthly statements related to an existing payment plan or payment receipts related to an
1235 existing payment plan.

1236 “(2) This subsection shall not apply to:

1237 “(A) Communications initiated solely for the purpose of informing a
1238 debtor of a rescheduled court appearance date or discussing a mutually convenient date for a
1239 rescheduled court appearance;

1240 “(B) Original creditors collecting or attempting to collect their own debt;

1241 “(C) Collecting or attempting to collect a debt which is, or is alleged to be,
1242 owed on a loan secured by a mortgage on real property or owed for common expenses pursuant
1243 to § 42-1903.12;

1244 “(D) Receiving and depositing payments the debtor chooses to make
1245 during a public health emergency; or

1246 “(E) Collecting or attempting to collect delinquent debt pursuant to the
1247 Delinquent Debt Recovery Act of 2012, effective September 20, 2012 (D.C. Law 19–168; D.C.
1248 Official Code § 1–350.01 et seq.)”.

1249 “(n) Subsections (l) and (m) of this section shall not be construed to:

1250 “(1) Exempt any person from complying with existing laws or rules of
1251 professional conduct with respect to debt collection practices;

1252 “(2) Supersede or in any way limit the rights and protections available to
1253 consumers under applicable local, state, or federal foreclosure laws; or

1254 “(3) Supersede any obligation under the District of Columbia Rules of
1255 Professional Conduct, to the extent of any inconsistency.”.

1256 Sec. 304. Emergency credit alerts.

1257 Title 28 of the District of Columbia Official Code is amended as follows:

1258 (a) The table of contents for Chapter 38 is amended by adding a new subchapter
1259 designation to read as follows:

1260 “Subchapter IV. COVID-19 Emergency Credit Alert.

1261 “28-3871. COVID-19 Emergency credit alert.

1262 (b) A new section 28-3871 is added to read as follows:

1263 “§ 28-3871. COVID-19 Emergency credit alert.

1264 “(a) If a consumer reports in good faith that he or she has experienced financial hardship
1265 resulting directly or indirectly from the public health emergency declared pursuant to § 7-

1266 2304.01, a credit reporting agency maintaining a file on the consumer shall accept and include in
1267 that file a personal statement, if furnished by the consumer, indicating that the consumer has
1268 been financially impacted by the COVID-19 emergency and shall provide that personal
1269 statement along with or accompanying any credit report provided by the agency, beginning on
1270 the date of such request, unless the consumer requests that the personal statement be removed.

1271 “(b) This section shall not apply to a federal credit union, as defined 12 U.S.C. § 1752(1)
1272 a national bank, as defined by 12 U.S.C. § 25b(a)(1), or a federal savings association, as defined
1273 by 12 U.S.C. § 1462(3); except, that an exception granted by this subsection shall not apply to
1274 any entity to which the savings clause at 12 U.S.C. § 25b(b)(2) applies.

1275 “(c) No user of a credit report shall consider adverse information in a report that was the
1276 result of an action or inaction by a consumer that occurred during, and was directly or indirectly
1277 the result of, a public health emergency declared pursuant to § 7-2304.01 if the credit report
1278 includes a personal statement pursuant to subsection (a) of this section.”

1279 “(d) When a District resident requests a copy of a credit report pursuant to 15 U.S.C. §
1280 1681j, the entity providing the credit report must notify the resident of his or her right to request
1281 a personal statement to accompany the credit report.

1282 “(e) If a credit reporting agency violates this section, the affected consumer may bring a
1283 civil action consistent with 15 U.S.C. § 1681n.

1284 “(f)(1) The Attorney General may petition the Superior Court of the District of Columbia
1285 for temporary or permanent injunctive relief for, and for an award of damages for property loss

1286 or harm suffered by a consumer as a consequence of, a violation of this section, or fraudulent or
1287 deceptive conduct in violation of this section that harms a District resident.

1288 “(2) In an action under this section, the Attorney General may recover:

1289 “(A) A civil penalty not to exceed \$1,000 for each violation; and

1290 “(B) Reasonable attorney’s fees and costs of the action.

1291 “(g) The following terms shall have the same meaning as defined in § 28-3861:

1292 “(1) “Consumer;”

1293 “(2) “Credit report;” and

1294 “(3) “Credit reporting agency.

1295 “(h) This section shall not be construed in a manner inconsistent with the Fair Credit
1296 Reporting Act, (15 U.S.C. § 1681 *et seq.*), or any other federal law or regulation.

1297 “(i) This section shall not be enforced until July 1, 2020.”.

1298 Sec. 305. Enhanced penalties for unlawful trade practices.

1299 Section 28-3903(a)(17) of the District of Columbia Official Code is amended by striking
1300 the phrase “by the Department.” and inserting the phrase “by the Department; except, that
1301 notwithstanding any other provision of District law or regulation, during a period of time for
1302 which the Mayor has declared a public health emergency pursuant to § 7-2304.01, a violation of
1303 this chapter or of any rule issued under the authority of this chapter shall be a Class 1 infraction
1304 within the meaning of 16 DCMR § 3200.1(a).”.

1305 Sec. 306. Price gouging and stockpiling.

1306 Title 28 of the District of Columbia Official Code is amended as follows:

1307 (a) Section 28-4101(2) is amended as follows:

1308 (1) Subparagraph (A) is amended by striking the phrase “natural disaster, if an
1309 emergency is declared pursuant to § 28-4102(b)” and inserting the phrase “natural disaster, if an
1310 emergency is declared pursuant to § 28-4102(b), or the circumstances giving rise to a public
1311 health emergency, if an emergency is declared pursuant to § § 7-2304.01”

1312 (2) Subparagraph (B) is amended by striking the phrase “natural disaster, if an
1313 emergency is declared pursuant to § 28-4102(b)” and inserting the phrase “natural disaster, if an
1314 emergency is declared pursuant to § 28-4102(b), or the circumstances giving rise to a public
1315 health emergency, if an emergency is declared pursuant to § § 7-2304.01”

1316 (2) A new subparagraph (C) is added to read as follows:

1317 “(C) Notwithstanding subsection (2)(A) or (B) otherwise to the contrary:

1318 “(i) For calendar year 2021, the “normal average retail price”
1319 means for a rental vehicle as defined in § 50-1505.01(8) as the average price at which a rental
1320 vehicle was leased during the same week of the same month in 2019 in the Washington
1321 Metropolitan Area; and

1322 “(ii) For calendar year 2022 and thereafter, the “normal average
1323 retail price” means for a rental vehicle as defined in § 50-1505.01(8) the price at which a rental

1324 vehicle was leased during the same week of the same month of the prior year in the Washington
1325 Metropolitan Area.”

1326 (b) The table of contents is amended by adding a new section designation to read as
1327 follows:

1328 “28-4102.01. Stockpiling.”.

1329 (c) Section 28-4102(a) is amended to read as follows:

1330 “(a) It shall be unlawful for any person to charge more than the normal average retail
1331 price for any merchandise or service sold during a public health emergency declared pursuant to
1332 § 7-2304.01, or during an emergency resulting from a natural disaster declared pursuant to
1333 subsection (b) of this section.”.

1334 (d) A new section 28-4102.01 is added to read as follows:

1335 “§ 28-4102.01. Stockpiling.

1336 “It shall be unlawful for any person to purchase, in quantities greater than those specified
1337 by the Mayor, the Department of Health (“DOH”), the Homeland Security and Emergency
1338 Management Agency (“HSEMA”), or the federal government goods that the Mayor, DOH,
1339 HSEMA, or the federal government have declared:

1340 “(1) Necessary for first responders or others following a natural disaster or a
1341 declaration of a public health emergency pursuant to § 7-2304.01 (“public health emergency”);

1342 “(2) Necessary to maintain supply chains of commerce during a natural disaster or
1343 a public health emergency; or

1344 “(3) Subject to rationing.”.

1345 (e) Section 28-4103 is amended as follows:

1346 (1) Strike the phrase “§ 28-4102(a)” wherever it appears and insert the phrase “§
1347 28-4102(a) or § 28-4102.01” in its place.

1348 (2) A new subsection (c) is added to read as follows:

1349 “(c) When the Office of the Attorney General brings a civil action for any violation of §
1350 28-4102(a) or § 28-4102.01 under the authority granted in § 28-3909, the maximum penalty
1351 authorized by § 28-3909 shall be assessed for each such violation.”.

1352 Sec. 307. Utility shutoff.

1353 (a) Section 113a(c) of the District Department of the Environment Establishment Act of
1354 2005, effective September 11, 2019 (D.C. Law 23-16, D.C. Official Code § 8-151.13a(c)), is
1355 amended as follows:

1356 (1) The existing text is designated paragraph (1).

1357 (2) A new paragraph (2) is added to read as follows:

1358 “(2) Notwithstanding paragraph (1) of this subsection, during a period of time for
1359 which the Mayor has declared a public health emergency (“PHE”) pursuant to section 5a of the
1360 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1361 194; D.C. Official Code § 7-2304.01), and for 105 calendar days thereafter, money in the Fund
1362 may be used to assist low-income residential customers located in the District of Columbia with
1363 the payment of an outstanding water bill balance; except, that not less than \$1.26 million of

1364 funding allocated in the fiscal year in which the PHE occurs shall be reserved to assist nonprofit
1365 organizations located in the District with the payment of impervious area charges, pursuant to
1366 section 216b(a) of the Water and Sewer Authority Establishment and Department of Public
1367 Works Reorganization Act of 1996, effective October 30, 2018 (D.C. Law 22-168; D.C. Official
1368 Code § 34-2202.16b(a)), and not less than \$360,000 of funding allocated in the fiscal year in
1369 which the PHE occurs shall be reserved to assist residential customers with the payment of
1370 impervious area charges, pursuant to section 216b(b).”.

1371 (b)(1) A cable operator, as that term is defined by section 103(6) of the Cable Television
1372 Communications Act of 1981, effective October 9, 2002 (D.C. Law 14-193; D.C. Official Code
1373 § 34-1251.03(6)), shall not disconnect, suspend, or degrade basic cable service or other basic
1374 cable operator services for non-payment of a bill, any fees for service or equipment, or any other
1375 charges, or for noncompliance with a deferred payment agreement during a period of time for
1376 which the Mayor has declared a public health emergency pursuant to section 5a of the District of
1377 Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C.
1378 Official Code § 7-2304.01), or for 15 calendar days thereafter.

1379 “(2) For purposes of this subsection, the term “other basic cable operator
1380 services” includes only basic broadband internet service and Voice over Internet Protocol service
1381 (known as VOIP service) .”.

1382 (c) The Retail Electric Competition and Consumer Protection Act of 1999, effective May
1383 9, 2000 (D.C. Law 13-107; D.C. Official Code § 34-1501 *et seq.*), is amended by adding a new
1384 section 106b to read as follows:

1385 “Sec. 106b. Disconnection of service during a public health emergency prohibited.

1386 “(a) For the purposes of this section, the term “public health emergency” means a period
1387 of time for which the Mayor has declared a public health emergency pursuant to section 5a of the
1388 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1389 194; D.C. Official Code § 7-2304.01).

1390 “(b) An electric company shall not disconnect electric service for non-payment of a bill
1391 or fees during a public health emergency or for 15 calendar days thereafter.”.

1392 (d) The Retail Natural Gas Supplier Licensing and Consumer Protection Act of 2004,
1393 effective March 16, 2005 (D.C. Law 15-227; D.C. Official Code § 34-1671.01 *et seq.*), is
1394 amended by adding a new section 7b to read as follows:

1395 “Sec. 7b. Disconnection of service during a public health emergency prohibited.

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

1400 “(b) A gas company shall not disconnect gas service for non-payment of a bill or fees
1401 during a public health emergency or for 15 calendar days thereafter.”.

1402 (e) Section 103 of the District of Columbia Public Works Act of 1954, approved May 18,
1403 1954 (68 Stat. 102; D.C. Code § 34-2407.01), is amended by adding a new subsection (c) to read
1404 as follows:

1405 “(c)(1) For the purposes of this subsection, the term “public health emergency” means a
1406 period of time for which the Mayor has declared a public health emergency pursuant to section
1407 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
1408 Law 14-194; D.C. Official Code § 7-2304.01).

1409 “(2) During a public health emergency, or for 15 calendar days thereafter,
1410 notwithstanding any other provision of this act, the water supply to any property shall not be shut
1411 off for non-payment of a bill or fees.”.

1412 (f) The Telecommunications Competition Act of 1996, effective September 9, 1996 (D.C.
1413 Law 11-154; D.C. Official Code § 34-2002.01 *et. seq.*), is amended by adding a new section 3a
1414 to read as follows:

1415 “Section 3a. Disconnection of telecommunications service during a public health
1416 emergency prohibited.

1417 “(a) For the purposes of this section, the term “public health emergency” means a period
1418 of time for which the Mayor has declared a public health emergency pursuant to section 5a of the
1419 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1420 194; D.C. Official Code § 7-2304.01).

1421 “(b) A telecommunications service provider shall not disconnect, suspend, or degrade
1422 basic telecommunications service for non-payment of a bill, any fees for service or equipment, or
1423 other charges, or for noncompliance with a deferred payment agreement during a public health
1424 emergency or for 15 calendar days thereafter.”.

1425 (g) Notwithstanding any District law, the Attorney General for the District of Columbia
1426 may use the enforcement authority set forth at D.C. Official Code § 28-3909 against any
1427 merchant, including a utility provider, that violates any provision of this act.

1428 Sec. 308. Utility payment plans.

1429 (a) During a program period, a utility provider shall offer a utility-payment-plan program
1430 (“program”) for eligible customers. Under its program, a utility provider shall:

1431 (1) Make a payment plan (“payment plan”) available to an eligible customer for
1432 the payment of amounts that come due during the program period, with a minimum term length
1433 of one year, unless a shorter time period is requested by the eligible customer;

1434 (2) Waive any fee, interest, or penalty that arises out of the eligible customer
1435 entering into a payment plan;

1436 (3) Not report to a credit reporting agency as delinquent the amounts subject to
1437 the payment plan; and

1438 (4) Notify all customers of the availability, terms, and application process for its
1439 program.

1440 (b)(1) Customers entering into a payment plan shall be required to make payments in
1441 equal monthly installments for the duration of the payment plan unless a shorter payment
1442 schedule is requested by the customer.

1443 (2) A utility provider shall permit a customer that has entered into a payment plan
1444 to pay an amount greater than the monthly amount provided for in the payment plan.

1445 (3) A utility provider shall not require or request a customer provide a lump-sum
1446 payment under a payment plan.

1447 (4) A utility provider shall provide confirmation in writing to the customer of the
1448 payment plan entered into, including the terms of a payment plan.

1449 (c) A utility provider shall utilize existing procedures or, if necessary, establish new
1450 procedures to provide a process by which a customer may apply for a payment plan, which may
1451 include requiring the customer to submit supporting documentation. A utility provider shall
1452 permit application for a payment plan to occur online and by telephone.

1453 (d)(1) A utility provider shall approve each application for a payment plan submitted
1454 during the covered time period made by an eligible customer.

1455 (2) If the customer is not eligible and the customer's application for a payment
1456 plan is denied, the utility provider shall inform the customer, in writing, of the denial and of the
1457 option to file a written complaint pursuant to subsection (g) of this section.

1458 (e)(1) A utility provider shall not disconnect service for non-payment of a bill or fees
1459 when a customer has entered into a payment plan under this section and has made payments in
1460 accordance with the terms of the payment plan;

1461 (2) When a customer fails to pay in full the amounts due under a payment plan
1462 and the customer and utility provider have not mutually agreed to a modification of the terms of
1463 the payment plan, nothing under this section shall prevent a utility provider from either offering
1464 the customer a new payment plan or disconnecting service.

1465 (3) Notwithstanding any provision in this section, a utility provider is not required
1466 to offer a customer a new payment plan when a customer has defaulted on a previous payment
1467 plan offered pursuant to this section.

1468 (f)(1) A utility provider that receives an application for a payment plan pursuant to this
1469 section shall retain the application, whether approved or denied, for at least 3 years.

1470 (2) Upon request by the customer, a utility provider shall make an application for
1471 a payment plan available to:

1472 (A) For utility providers regulated by the Public Service Commission and
1473 DC Water, the Office of the People’s Counsel;

1474 (B) For a cable operator, the Office of Cable Television, Film, Music and
1475 Entertainment; and

1476 (C) For all other utility providers, the Department of Consumer and
1477 Regulatory Affairs and the Office of the Attorney General.

1478 (g) A customer whose application for a payment plan is denied may file a written
1479 complaint with:

1480 (1) For utility providers regulated by the Public Service Commission, the Public
1481 Service Commission, and the Office of the People’s Counsel;

1482 (2) For a cable operator, the Office of Cable Television, Film, Music and
1483 Entertainment; and

1484 (3) For all other utility providers, the Department of Consumer and Regulatory
1485 Affairs.

1486 (h) During a period of time for which the Mayor has declared a public health emergency,
1487 a utility provider regulated by the Public Service Commission shall reconnect service to
1488 occupied residential property upon an eligible customer’s request and not charge a fee for this
1489 reconnection.

1490 (i) For the purposes of this section, the term:

1491 (1) “Cable operator” shall have the same meaning as provided in section 103(6) of
1492 the Cable Television Communications Act of 1981, effective October 9, 2002 (D.C. Law 14-193;
1493 D.C. Official Code § 34-1251.03(6)).

1494 (2) “DC Water” means the District of Columbia Water and Sewer Authority
1495 established pursuant to section 202(a) of the Water and Sewer Authority Establishment and
1496 Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law
1497 11-111; D.C. Official Code § 34-2202.02(a)).

1498 (3) “Electric company” shall have the same meaning as provided in section 8 of
1499 An Act Making appropriations to provide for the expenses of the government of the District of
1500 Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other
1501 purposes, approved March 4, 1913 (37 Stat. 976; D.C. Official Code § 34-207).

1502 (4) “Eligible Customer” means a customer that:

1503 (A) Has notified the utility provider of an inability to pay all or a portion
1504 of the amount due as a result, directly or indirectly, of the public health emergency; and

1505 (B) Agrees in writing to make payments in accordance with the payment
1506 plan.

1507 (5) “Gas company” shall have the same meaning as provided in section 3(11) of
1508 the Retail Natural Gas Supplier Licensing and Consumer Protection Act of 2004, effective
1509 March 16, 2005 (D.C. Law 15-227; D.C. Official Code § 34-1671.02(11)).

1510 (6) “Program period” means a period of time for which the Mayor has declared a
1511 public health emergency pursuant to section 5a of the District of Columbia Public Emergency
1512 Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01)
1513 and:

1514 (A) For a cable operator, or a telecommunications provider not regulated
1515 by the Public Service Commission, 60 days thereafter; or

1516 (B) For any other utility provider, 6 months thereafter.

1517 (7) “Telecommunications provider” means an entity that provides
1518 telecommunications services, whether through a telecommunications system or universal service,
1519 as those terms are defined, respectively, in section 2(21) and (22) of the Telecommunications
1520 Competition Act of 1996, effective September 9, 1996 (D.C. Law 11-154; D.C. Official Code §
1521 34-2001(21) and (22)), or other telecommunication service, whether such service is regulated by
1522 the Public Service Commission of the District of Columbia or the Federal Communications
1523 Commission, or is currently not regulated by either local or federal law.

1524 (8) “Utility provider” means a cable operator, DC Water, an electric company, a
1525 gas company, or a telecommunications provider.

1526 Sec. 309. Composting virtual training.

1527 Section 112a(f) of the Sustainable Solid Waste Management Amendment Act of 2014,
1528 effective February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 8-1031.12a(f)), is amended
1529 by adding a new paragraph (1A) to read as follows:

1530 “(1A) Notwithstanding paragraph (1) of this subsection, during a period of time
1531 for which the Mayor has declared a public health emergency pursuant to section 5a of the
1532 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1533 194; D.C. Official Code § 7-2304.01), the Mayor, or a contractor selected by the Mayor, may
1534 provide the training required by paragraph (1) of this subsection remotely through
1535 videoconference.”.

1536 Sec. 310. Emergency Department of Insurance, Securities, and Banking authority.

1537 The Department of Insurance and Securities Regulation Establishment Act of 1996,
1538 effective May 21, 1997 (D.C. Law 11-268; D.C. Official Code § 31-101 *et seq.*), is amended by
1539 adding a new section 5a to read as follows:

1540 “Sec. 5a. Emergency authority of the Commissioner during a declared public health
1541 emergency.

1542 “(a) For the duration of a public health emergency declared by the Mayor pursuant to
1543 section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002
1544 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and to address the circumstances giving rise
1545 to that emergency, the Commissioner may issue emergency rulemaking, orders, or bulletins that:

1546 “(1) Apply to any person or entity regulated by the Commissioner; and

1547 “(2) Address:

1548 “(A) Submission of claims or proof of loss;

1549 “(B) Grace periods for payment of premiums and performance of other
1550 duties by insureds;

1551 “(C) Temporary postponement of:

1552 “(i) Cancellations;

1553 “(ii) Nonrenewals; or

1554 “(iii) Premium increases;

1555 “(D) Modifications to insurance policies;

1556 “(E) Insurer operations;
1557 “(F) Filing requirements;
1558 “(G) Procedures for obtaining nonelective health care services;
1559 “(H) Time restrictions for filling or refilling prescription drugs;
1560 “(I) Time frames applicable to an action by the Commissioner under this
1561 section;
1562 “(J) Temporarily waiving application of laws, rulemaking, or requirements
1563 to ensure that depository services, non-depository services, and securities transactions can
1564 continue to be provided, including allowing for the opening of a temporary service location,
1565 which may be a mobile branch, temporary office space, or other facility; and
1566 “(K) Any other activity related to insurance, securities, and banking and
1567 under the purview of the Commissioner reasonably calculated to protect the health, safety, and
1568 welfare of District residents during the public health emergency.
1569 “(b) The Commissioner may require licensees to answer questions related to, and submit
1570 documentation of, the licensee’s continuity of operations plan.
1571 “(c)(1) To accomplish the purposes of this section, the Commissioner may issue
1572 emergency rulemaking, orders, or bulletins pursuant to this section specifying:
1573 “(A) That the rulemaking, order, or bulletin is effective immediately;
1574 “(B) The line or lines of business or the class or classes of licenses to
1575 which the regulation, order, or bulletin applies;

1576 “(C) The geographic areas to which the regulation, order, or bulletin
1577 applies; and

1578 “(D) The period of time for which the regulation, order, or bulletin
1579 applies.

1580 “(2) A regulation issued under paragraph (1) of this subsection may not apply for
1581 longer than the duration of the effects of a declared public health emergency.”.

1582 Sec. 311. Vacant property designations.

1583 Section 6(b) of An Act To provide for the abatement of nuisances in the District of
1584 Columbia by the Commissioners of said District, and for other purposes, effective April 27, 2001
1585 (D.C. Law 13-281; D.C. Official Code § 42-3131.06(b)), is amended as follows:

1586 (a) Paragraph (8) is amended by striking the phrase “; or” and inserting a semicolon in its
1587 place.

1588 (b) Paragraph (9) is amended by striking the period and inserting the phrase “; or” in its
1589 place.

1590 (c) A new paragraph (10) is added to read as follows:

1591 “(10) A commercial property that houses a business that has closed during a
1592 period of time for which the Mayor has declared a public health emergency pursuant to section
1593 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
1594 Law 14-194; D.C. Official Code § 7-2304.01), as a result of the circumstances giving rise to or
1595 resulting from the public health emergency, and for 60 days thereafter.”.

1596

1597 Sec. 312. Extension of licenses and registrations; waiver of deadlines.

1598 Notwithstanding any provision of law during, or within 45 days after the end of, a period

1599 time for which the Mayor has declared a public health emergency pursuant to section 5a of the

1600 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-

1601 194; D.C. Official Code § 7-2304.01), the Mayor, may:

1602 (1) Prospectively or retroactively extend the validity of a license, registration,

1603 permit, or authorization, including driver licenses, vehicle registrations, professional licenses,

1604 registrations, and certifications;

1605 (2) Waive the deadlines for filings, and waive fees, fines, and penalties associated

1606 with the failure to timely renew a license, registration, permit, or other authorization or to timely

1607 submit a filing; or

1608 (3) Extend or waive the deadline by which action is required to be taken by the

1609 executive branch of the District government or by which an approval or disapproval is deemed to

1610 have occurred based on inaction by the executive branch of the District government.

1611 **TITLE IV. HOUSING AND TENANT PROTECTIONS**

1612 Sec. 401. Mortgage relief.

1613 (a) In accordance with section 5(b)(15) of the District of Columbia Public Emergency

1614 Act of 1980, effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2304(b)(15)),

1615 and notwithstanding any provision of the Mortgage Lender and Broker Act of 1996, effective

1616 September 9, 1996 (D.C. Law 11-155; D.C. Official Code § 26-1101 *et seq.*), or any other
1617 provision of District law, during a period of time for which the Mayor has declared a public
1618 health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of
1619 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01) (“Public
1620 Emergency Act”), and for 60 days thereafter, a mortgage lender that makes or holds a residential
1621 mortgage loan or commercial mortgage loan in the District shall develop a deferment program
1622 for borrowers that, at a minimum:

1623 (1) Grants at least a 90-day deferment of the monthly payment of principal and
1624 interest on a mortgage for borrowers;

1625 (2) Waives any late fee, processing fee, or any other fee accrued during the period
1626 of time for which the Mayor has declared a public health emergency pursuant to the Public
1627 Emergency Act; and

1628 (3) Does not report to a credit reporting agency as delinquent the amounts subject
1629 to the deferral.

1630 (b) The mortgage lender shall establish application criteria and procedures for borrowers
1631 to apply for the deferment program. An application or summary of procedures shall be made
1632 available online or by telephone.

1633 (c) The mortgage lender shall approve each application in which a borrower:

1634 (1) Demonstrates to the mortgage lender evidence of a financial hardship resulting
1635 directly or indirectly from the public health emergency, including an existing delinquency or
1636 future inability to make payments; and

1637 (2) Agrees in writing to pay the deferred payments within:

1638 (A) A reasonable time agreed to in writing by the applicant and the
1639 mortgage lender; or

1640 (B) If no reasonable time can be agreed to pursuant to subparagraph (A) of
1641 this paragraph, 3 years from the end of the deferment period, or the end of the original term of
1642 the mortgage loan, whichever is earlier.

1643 (d)(1) A mortgage lender who receives an application for deferment pursuant to this
1644 section shall retain the application, whether approved or denied, for at least 3 years after final
1645 payment is made on the mortgage or the mortgage is sold, whichever occurs first.

1646 (2) Upon request, a mortgage lender shall make an application for deferment
1647 available to the Commissioner.

1648 (3)(A)(i) A mortgage lender who approves an application for deferment pursuant
1649 to this section shall, on or before June 4, 2020, provide to the Commissioner notice of all
1650 approved applications on a form prescribed by the Commissioner.

1651 (ii) After the initial submission prescribed in this paragraph, a
1652 mortgage lender who approves an application for deferment pursuant to this section shall provide

1653 the Commissioner with a list of all new approvals in 15-day intervals for the duration of the
1654 public health emergency and for 60 days thereafter.

1655 (iii) The Commissioner may request information on the number
1656 and nature of approvals between 15-day intervals.

1657 (B) The Commissioner shall maintain a publicly available list of approved
1658 commercial loan deferral applications. The requirement of this subparagraph may be satisfied by
1659 posting to the Department of Insurance, Securities, and Banking website.

1660 (e) A mortgage lender shall be prohibited from requesting or requiring a lump sum
1661 payment from any borrower making payments under a deferred payment program pursuant to
1662 this section, subject to investor guidelines.

1663 (f) A person or business whose application for deferment is denied may file a written
1664 complaint with the Commissioner. The Commissioner is authorized to investigate the complaint
1665 in accordance with section 13 of the Mortgage Lender and Broker Act of 1996, effective
1666 September 9, 1996 (D.C. Law 11-155; D.C. Official Code § 26-1112).

1667 (g) The provisions of this section shall apply to any lender who makes or holds a
1668 commercial mortgage loan in the District, with the exception of national banks and federally
1669 chartered credit unions.

1670 (h) To the extent necessary to conform with the provisions of this section, the provisions
1671 in section 313(c)(1) of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89;

1672 D.C. Official Code § 42-1903.13(c)(1)), are waived for the duration of the public health
1673 emergency.

1674 (i) This section shall not apply to a property for which, as of March 11, 2020, a mortgage
1675 lender initiated a foreclosure action or exercised its right to accelerate the balance and maturity
1676 date of the loan on or before March 11, 2020.

1677 (j) This section shall not apply to a mortgage loan that is a Federally backed mortgage
1678 loan, as that term is defined in section 4022(a)(2) of the Coronavirus Aid, Relief, and Economic
1679 Security Act, approved March 27, 2020 (134 Stat. 281; 15 U.S.C. § 9056(a)(2)) (“CARES Act”),
1680 or a Federally backed multifamily mortgage loan, as that term is defined in section 4023(f)(2) of
1681 the CARES Act (15 U.S.C. § 9057(f)(2)).

1682 (k) A mortgage lender that violates the provisions of this section shall be subject to the
1683 penalties prescribed in section 19 of the Mortgage Lender and Broker Act of 1996, effective
1684 September 9, 1996 (D.C. Law 11-155; D.C. Official Code § 26-1118).

1685 (l) For the purposes of this section, the term:

1686 (1) “Commercial mortgage loan” means a loan for the acquisition, construction,
1687 or development of real property, or a loan secured by collateral in such real property, that is
1688 owned or used by a person, business, or entity for the purpose of generating profit, and includes
1689 real property used for single-family housing, multifamily housing, retail, office space, and
1690 commercial space that is made, owned, or serviced by a mortgage lender.

1691 (2) “Commissioner” means the Commissioner of the Department of Insurance,
1692 Securities, and Banking.

1693 (3) “Mortgage lender” means any person that makes a mortgage loan to any
1694 person or that engages in the business of servicing mortgage loans for others or collecting or
1695 otherwise receiving mortgage loan payments directly from borrowers for distribution to any
1696 other person. The term “mortgage lender” does not include the Federal Home Loan Mortgage
1697 Corporation, the Federal National Mortgage Association, or the Government National Mortgage
1698 Association.

1699 Sec. 402. Tenant payment plans.

1700 (a) During a period of time for which the Mayor has declared a public health emergency
1701 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
1702 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and for one year
1703 thereafter (“program period”), a provider shall offer a rent-payment-plan program (“program”)
1704 for eligible tenants. Under its program, a provider shall:

1705 (1) Make a payment plan available to an eligible tenant for the payment of gross
1706 rent and any other amounts that come due under the lease during the program period and prior to
1707 the cessation of tenancy (“covered time period”), with a minimum term length of one year unless
1708 a shorter payment plan term length is requested by the eligible tenant.

1709 (2) Waive any fee, interest, or penalty that arises out of an eligible tenant entering
1710 into a payment plan;

1711 (3) Not report to a credit reporting agency as delinquent the rent subject to the
1712 payment plan;

1713 (4) Provide that an eligible tenant does not lose any rights under the lease by
1714 entering into the payment plan; and

1715 (5) Notify all tenants of the availability, terms, and application process for its
1716 program.

1717 (b)(1) Tenants entering into a payment plan shall be required to make payments in equal
1718 monthly installments for the duration of the payment plan unless a different payment schedule is
1719 requested by the tenant.

1720 (2) A provider shall permit a tenant that has entered into a payment plan to pay an
1721 amount greater than the monthly amount provided for in the payment plan.

1722 (3) A provider shall not require or request a tenant to provide a lump-sum
1723 payment under a payment plan.

1724 (4) A provider shall agree in writing to the terms of a payment plan.

1725 (c) A provider shall utilize existing procedures or, if necessary, establish new procedures
1726 to provide a process by which an eligible tenant may apply for a payment plan, which may
1727 include requiring the tenant to submit supporting documentation. A provider shall permit an
1728 application for a payment plan to occur online and by telephone.

1729 (d) A provider shall approve each application for a payment plan submitted during a
1730 covered time period in which an eligible tenant:

1731 (1) Demonstrates to the provider evidence of a financial hardship resulting
1732 directly or indirectly from the public health emergency, regardless of an existing delinquency or
1733 a future inability to make rental payments established prior to the start of the public health
1734 emergency; and

1735 (2) Agrees in writing to make payments in accordance with the payment plan.

1736 (e)(1) A provider who receives an application for a payment plan shall retain the
1737 application, whether approved or denied, for at least 3 years.

1738 (2) Upon request of the tenant, a provider shall make an application for a payment
1739 plan available to:

1740 (A) For residential tenants, the Rent Administrator, Office of the Tenant
1741 Advocate; and

1742 (B) For commercial tenants, the Department of Consumer and Regulatory
1743 Affairs.

1744 (f)(1) A residential tenant whose application for a payment plan is denied may file a
1745 written complaint with the Rent Administrator. The Rent Administrator shall forward the
1746 complaint to the Office of Administrative Hearings for adjudication.

1747 (2) A commercial tenant whose application for a payment plan is denied may file
1748 a written complaint with the Department of Consumer and Regulatory Affairs.

1749 (g) During the program period, unless the provider has offered a rent payment plan
1750 pursuant to this section and approved a rent payment plan pursuant to subsection (d) of this

1751 section, that provider shall be prohibited from filing any collection lawsuit or eviction for non-
1752 payment of rent; provided, that the tenant does not default on the terms of the payment plan.

1753 (h) For the purposes of this section, the term:

1754 (1) “Eligible tenant” means a tenant that:

1755 (A) Has notified a provider of an inability to pay all or a portion of the rent
1756 due as a result of the public health emergency; and

1757 (B) Is not a franchisee unless the franchise is owned by a District resident;

1758 and

1759 (C) Has leased from a provider:

1760 (i) A residential property;

1761 (ii) Commercial retail space; or

1762 (iii) Commercial space that is less than 6,500 square feet in size

1763 and that comprises all or part of a commercial building.

1764 (2) “Housing provider” means a person or entity who is a residential landlord,
1765 residential owner, residential lessor, residential sublessor, residential assignee, or the agent of
1766 any of the foregoing or any other person receiving or entitled to receive the rents or benefits for
1767 the use or occupancy of any residential rental unit within a housing accommodation within the
1768 District.

1769 (3) “Non-housing provider” means a person or entity who is a non-residential
1770 landlord, non-residential owner, non-residential lessor, non-residential sublessor, non-residential

1771 assignee, a non-residential agent of a landlord, owner, lessor, sublessor, or assignee, or any other
1772 person receiving or entitled to receive rents or benefits for the use or occupancy of a commercial
1773 unit.

1774 (4) “Provider” means a housing provider or a non-housing provider.

1775 Sec. 403. Residential cleaning.

1776 (a) During a period of time for which a public health emergency has been declared
1777 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
1778 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the owner or
1779 representative of the owner of a housing accommodation shall clean common areas of the
1780 housing accommodation on a regular basis, including surfaces that are regularly touched, such as
1781 doors, railings, seating, and the exterior of mailboxes.

1782 (b) For the purposes of this section “housing accommodation” means any structure or
1783 building in the District containing one or more residential units that are not occupied by the
1784 owner of the housing accommodation, including any apartment, efficiency apartment, room,
1785 accessory dwelling unit, cooperative, homeowner association, condominium, multifamily
1786 apartment building, nursing home, assisted living facility, or group home.

1787 (c) The Mayor may, pursuant to Title I of the District of Columbia Administrative
1788 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*),
1789 promulgate rules to implement this section.

1790

1791 Sec. 404. Eviction prohibition.

1792 (a) Title 16 of the District of Columbia Official Code is amended as follows:

1793 (1) Section 16-1501 is amended as follows:

1794 (A) The existing text is designated as subsection (a).

1795 (B) A new subsection (b) is added to read as follows:

1796 “(b) During a period of time for which the Mayor has declared a public health emergency
1797 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
1798 October 17, 2002 (D.C. Law 14-194; D.C. Official Code 7-2304.01), and for 60 days thereafter,
1799 the person aggrieved shall not file a complaint seeking relief pursuant to this section.”.

1800 (2) Section 16-1502 is amended by striking the phrase “exclusive of Sundays and
1801 legal holidays” and inserting the phrase “exclusive of Sundays, legal holidays, and a period of
1802 time for which the Mayor has declared a public health emergency pursuant to section 5a of the
1803 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1804 194; D.C. Official Code § 7-2304.01)” in its place.

1805 (b) Section 501(k) of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law
1806 6-10; D.C. Official Code § 42-3505.01(k)), is amended as follows:

1807 (1) Paragraph (1) is amended by striking the phrase “; or” and inserting a
1808 semicolon in its place.

1809 (2) Paragraph (2) is amended by striking the period and inserting the phrase “; or”
1810 in its place.

1811 (3) A new paragraph (3) is added to read as follows:

1812 “(3) During a period of time for which the Mayor has declared a public health
1813 emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
1814 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).”.

1815 Sec. 405. Residential tenant protections.

1816 (a) Reserved.

1817 (b) The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C.

1818 Official Code § 42-3501.01 *et seq.*), is amended as follows:

1819 (1) Section 202(b)(2) (D.C. Official Code § 42-3502.02(b)(2)) is amended to read
1820 as follows:

1821 “(2)(A) A majority of the Rental Housing Commissioners shall constitute a
1822 quorum to do business, and a single vacancy shall not impair the right of the remaining Rental
1823 Housing Commissioners to exercise all powers of the Rental Housing Commission.

1824 “(B) In the event that a majority of the Rental Housing Commissioners (or
1825 any one Commissioner if there is a vacancy) will be unable to perform their official duties for an
1826 extended period of time due to circumstances related to a declared state of emergency in the
1827 District of Columbia, including quarantine or movement restrictions, illness, or the care of a
1828 close family member, one Commissioner shall constitute a quorum to do business.

ENGROSSED ORIGINAL

1829 “(i) If the Chairperson will be unable to perform his or her duties,
1830 he or she shall designate an acting Chairperson or, if only one Commissioner is available, that
1831 Commissioner shall be automatically designated as acting Chairperson.

1832 “(ii) The Chairperson of the Rental Housing Commission shall
1833 notify the Mayor and the Chairperson of the Council in writing of any temporary vacancy and
1834 whether the Commission is operating as a quorum of one.

1835 “(iii) For such time as the Rental Housing Commission is operating
1836 as a quorum of one, the Commission shall only issue, amend, or rescind rules on an emergency
1837 basis in accordance with section 105(c) of the District of Columbia Administrative Procedure
1838 Act, approved October 21, 2968 (82 Stat. 1206; D.C. Official Code § 2-505(c)).

1839 “(iv) The authority to operate as a quorum of one shall terminate
1840 when at least one Rental Housing Commissioner notifies the Chairperson in writing that he or
1841 she is able to resume his or her duties. The authority may extend beyond the termination of the
1842 original declared state of emergency if Commissioners are personally affected by continuing
1843 circumstances.

1844 (2) Section 208(a)(1) (D.C. Official Code § 42-3502.08(a)(1)) is amended as
1845 follows:

1846 (A) Subparagraph (F) is amended by striking the phrase “; and” and
1847 inserting a semicolon in its place.

1848 (B) Subparagraph (G) is amended by striking the period at the end and
1849 inserting the phrase “; and” in its place.

1850 (C) A new subparagraph (H) is added to read as follows:

1851 “(H) None of the circumstances set forth in section 904(c) applies.”.

1852 (3) Section 211 (D.C. Official Code § 42-3502.11) is amended as follows:

1853 (A) The existing text is designated as subsection (a).

1854 (B) A new subsection (b) is added to read as follows:

1855 “(b) If, during a public health emergency that has been declared pursuant to section 5a of
1856 the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law
1857 14-194; D.C. Official Code § 7-2304.01) (“Public Emergency Act”), and consistent with
1858 applicable law or an order issued by the Mayor pursuant to the Public Emergency Act , a housing
1859 provider temporarily stops providing:

1860 “(1) An amenity that a tenant pays for in addition to the rent charged, then the
1861 housing provider shall refund to the tenant pro rata any fee charged to the tenant for the amenity
1862 during the public health emergency; or

1863 “(2) A service or facility that is lawfully included in the rent charged, then the
1864 housing provider shall not be required to reduce the rent charged pursuant to subsection (a) of
1865 this section.”.

1866 (4) Section 531(c) (D.C. Official Code § 42-3505.31(c)) is amended as follows:

1867 (A) Paragraph (4) is amended by striking the phrase “or;” and inserting a
1868 semicolon in its place.

1869 (B) Paragraph (5) is amended by striking the period and inserting the
1870 phrase “; or” in its place.

1871 (C) A new paragraph (6) is added to read as follows:

1872 “(6) Impose a late fee on a tenant during any month for which a public health
1873 emergency has been declared pursuant to section 5a of the District of Columbia Public
1874 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
1875 2304.01).”.

1876 (5) Section 553 (D.C. Official Code § 42-3505.53) is amended as follows:

1877 (A) The existing text is designated subsection (a).

1878 (B) A new subsection (b) is added to read as follows:

1879 “(b) Any notice of intent to vacate that a tenant provided prior to the period for which a
1880 public health emergency has been declared pursuant to section 5a of the District of Columbia
1881 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official
1882 Code § 7-2304.01), shall be tolled at the election of the tenant for the period of any such public
1883 health emergency such that the tenant shall have the same number of days to vacate remaining at
1884 the end of the public health emergency as the tenant had remaining upon the effective date of the
1885 public health emergency.”.

1886 (6) Section 554 (D.C. Official Code § 42-3505.54) is amended by adding a new
1887 subsection (c) to read as follows:

1888 “(c) Any notice of intent to vacate that a tenant provided prior to the period for which a
1889 public health emergency has been declared pursuant to section 5a of the District of Columbia
1890 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official
1891 Code § 7-2304.01), shall be tolled at the election of the tenant for the period of any such public
1892 health emergency such that the tenant shall have the same number of days to vacate remaining at
1893 the end of the public health emergency as the tenant had remaining upon the effective date of the
1894 public health emergency.”.

1895 (7) Section 904 (D.C. Official Code § 42-3509.04) is amended by adding new
1896 subsections (c) and (d) to read as follows:

1897 “(c) No housing provider may issue a rent increase notice to any residential tenant during
1898 a period for which a public health emergency has been declared pursuant to section 5a of the
1899 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1900 194; D.C. Official Code § 7-2304.01) (“Public Emergency Act”).

1901 “(d)(1) Any rent increase, whether under this act, the Rental Accommodations Act of
1902 1975, the Rental Housing Act of 1977, the Rental Housing Act of 1980, or any administrative
1903 decisions issued under these acts, shall be null and void and shall be issued anew in accordance
1904 with subsection (b) of this section if:

1905 “(A) The effective date of the rent increase as stated on the notice of rent
1906 increase occurs during a period for which a public health emergency has been declared pursuant
1907 to the Public Emergency Act, and for 30 days thereafter;

1908 “(B) The notice of rent increase was provided to the tenant during a period
1909 for which a public health emergency has been declared; or

1910 “(C) The notice was provided to the tenant prior to, but the rent increase
1911 takes effect following, a public health emergency.

1912 “(2) The Rent Administrator shall review all notices to a tenant of an adjustment
1913 in the rent charged filed by a housing provider with the Rental Accommodations Division of the
1914 Department of Housing and Community Development for consistency with this subsection and
1915 shall inform the housing provider that:

1916 “(A) A rent increase is prohibited during the public health emergency plus
1917 30 days pursuant to this section;

1918 “(B) The housing provider shall withdraw the rent increase notice;

1919 “(C) The housing provider shall inform tenants in writing that any rent
1920 increase notice is null and void pursuant to the Coronavirus Support Temporary Amendment Act
1921 of 2020, passed on 2nd reading on June 9, 2020 (Enrolled version of Bill 23-758);

1922 “(D) The housing provider shall, within 7 calendar days, file a certification
1923 with the Rental Accommodations Division that the notice letter required by subparagraph (C) of

1924 this paragraph was sent to tenants, along with a sample copy of the notice and a list of each
1925 tenant name and corresponding unit numbers; and

1926 “(E) If it is determined that the housing provider knowingly demanded or
1927 received any rent increase prohibited by this act or substantially reduced or eliminated related
1928 services previously provided for a rental unit, the housing provider may be subject to treble
1929 damages and a rollback of the rent, pursuant to section 901(a).”.

1930 (8) A new section 911 is added to read as follows:

1931 “Sec. 911. Tolling of tenant deadlines during a public health emergency.

1932 “The running of all time periods for tenants and tenant organizations to exercise rights
1933 under this act or under chapters 38 through 43 of Title 14 of the District of Columbia Municipal
1934 Regulations (14 DCMR §§ 3800 through 4399) shall be tolled during a period for which a public
1935 health emergency has been declared pursuant to section 5a of the District of Columbia Public
1936 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
1937 2304.01), and for 30 days thereafter.”.

1938 Sec. 406. Rent increase prohibition.

1939 (a) Notwithstanding any other provision of law, a rent increase for a residential property
1940 not prohibited by the provisions of section 904(c) of the Rental Housing Act of 1985, effective
1941 July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3509.04(c)), shall be prohibited during a
1942 period for which a public health emergency has been declared pursuant to section 5a of the

1943 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1944 194; D.C. Official Code § 7-2304.01), and for 30 days thereafter.

1945 (b)(1) Notwithstanding any other provision of law, a rent increase for a commercial
1946 property shall be prohibited during a period for which a public health emergency has been
1947 declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
1948 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-1875 2304.01), and for 30
1949 days thereafter.

1950 (2) For the purposes of this subsection, the term “commercial property” means:

1951 (A) A commercial retail establishment; or

1952 (B) Leased commercial space that is less than 6,500 square feet in size and
1953 that comprises all or part of a commercial building.

1954 (3) Any increase of rent on a commercial property made by a landlord between
1955 March 11, 2020, and June 9, 2020, shall be null and void and any excess rent paid by a tenant shall
1956 be credited to the tenant.

1957 Sec. 407. Nonprofit corporations and cooperative association remote meetings.

1958 Title 29 of the District of Columbia Official Code is amended as follows:

1959 (a) Section 29-405.01(e) is amended by striking the phrase “The articles of incorporation
1960 or bylaws may provide that an annual” and inserting the phrase “Notwithstanding the articles of
1961 incorporation or bylaws, during a period for which a public health emergency has been declared

ENGROSSED ORIGINAL

1962 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
1963 October 17, 2002 (D.C. Law 14-194, D.C. Official Code § 7-2304.01), an annual” in its place.

1964 (b) Section 29-910 is amended by striking the phrase “If authorized by the articles or
1965 bylaws” and inserting the phrase “During a period for which a public health emergency has been
1966 declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
1967 effective October 17, 2002 (D.C. Law 14-194, D.C. Official Code § 7-2304.01), regardless of
1968 whether remote regular and special meetings of members are authorized by the articles or
1969 bylaws” in its place.

1970 Sec. 408. Foreclosure moratorium.

1971 (a)(1) Notwithstanding any provision of District law, during a period of time for which
1972 the Mayor has declared a public health emergency pursuant to section 5a of the District of
1973 Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C.
1974 Official Code § 7-2304.01), and for 60 days thereafter, no:

1975 (A) Residential foreclosure may be initiated or conducted under section 539
1976 or section 95 of An Act To establish a code of law for the District of Columbia, approved March
1977 3, 1901 (31 Stat. 1274; D.C. Official Code §§ 42-815 and 42-816); or

1978 (B) Sale may be conducted under section 313(c) of the Condominium Act of
1979 1976, effective March 29, 1977 (D.C. Law 1-89; D.C. Official Code § 42-1903.13(c)).

1980 (2) This subsection shall not apply to a residential property at which neither a
1981 record owner nor a person with an interest in the property as heir or beneficiary of a record

1982 owner, if deceased, has resided for at least 275 total days during the previous 12 months, as of
1983 the first day of the public health emergency.

1984 (b) Section 313(e) of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law
1985 1-89; D.C. Official Code § 42-1903.13(e)), is amended by striking the phrase “3 years” and
1986 inserting the phrase “3 years, not including any period of time for which the Mayor has declared
1987 a public health emergency pursuant to section 5a of the District of Columbia Public Emergency
1988 Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01),
1989 and for 60 days thereafter,” in its place.

1990 **TITLE V. HEALTH AND HUMAN SERVICES**

1991 Sec. 501. Prescription drugs.

1992 Section 208 of the District of Columbia Health Occupations Revision Act of 1985,
1993 effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.08), is amended by
1994 adding a new subsection (g-2) to read as follows:

1995 “(g-2)(1) An individual licensed to practice pharmacy pursuant to this act may authorize
1996 and dispense a refill of patient prescription medications prior to the expiration of the waiting
1997 period between refills to allow District residents to maintain an adequate supply of necessary
1998 medication during a period of time for which the Mayor has declared a public health emergency
1999 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
2000 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).

2001 “(2) This subsection shall not apply to any patient prescription for which a refill
2002 otherwise would be prohibited under District law.”.

2003 Sec. 502. Homeless services.

2004 The Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-
2005 35; D.C. Official Code § 4-751.01 *et seq.*), is amended as follows:

2006 (a) Section 8(c-1) (D.C. Official Code § 4-753.02(c-1)) is amended as follows:

2007 (1) Paragraph (1) is amended by striking the phrase “not to exceed 3 days” and
2008 inserting the phrase “not to exceed 3 days; except, that during a public health emergency
2009 declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
2010 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the Mayor may
2011 place the family in an interim eligibility placement for a period not to exceed 60 days” in its
2012 place.

2013 (2) Paragraph (2) is amended by striking the phrase “and section 9(a)(20)” and
2014 inserting the phrase “and section 9(a)(20); except, that the Mayor may extend an interim
2015 eligibility placement to coincide with the period of a public health emergency declared pursuant
2016 to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17,
2017 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01)” in its place.

2018 (3) Paragraph (3) is amended by striking the phrase “within 12 days of the start of
2019 the interim eligibility placement” and inserting the phrase “within 12 days of the start of the
2020 interim eligibility placement; except, that during a public health emergency declared pursuant to

2021 section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002
2022 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the Mayor shall have 10 business days
2023 following the end of the public health emergency to issue the eligibility determination required
2024 by this paragraph” in its place.

2025 (4) Paragraph (4) is amended by striking the phrase “start of an interim eligibility
2026 placement,” and inserting the phrase “start of an interim eligibility placement, or as otherwise
2027 required by paragraph (3) of this subsection” in its place.

2028 (b) Section 9(a)(14) (D.C. Official Code § 4-754.11(a)(14)) is amended by striking the
2029 phrase “and other professionals” and inserting the phrase “and other professionals; except, that
2030 the Mayor may waive the requirements of this provision for in-person meetings and
2031 communications during a public health emergency declared pursuant to section 5a of the District
2032 of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C.
2033 Official Code § 7-2304.01)” in its place.

2034 (c) Section 10(1) (D.C. Official Code § 4-754.12(1)) is amended by striking the phrase
2035 “established pursuant to section 18” and inserting the phrase “established pursuant to section 18;
2036 except, that the Mayor may waive this provision during a public health emergency declared
2037 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
2038 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01)” in its place.

2039 (d) Section 19(c-2) (D.C. Official Code § 4-754.33(c-2)) is amended by striking the
2040 phrase “served on the client.” and inserting the phrase “served on the client; except, that during a

2041 public health emergency declared pursuant to section 5a of the District of Columbia Public
2042 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
2043 2304.01), the Mayor may serve written notice via electronic transmission.” in its place.

2044 (e) Section 24(f) (D.C. Official Code § 4-754.38(f)) is amended as follows:

2045 (1) Paragraph (1) is amended as follows:

2046 (A) Subparagraph (A) is amended by striking the phrase “to the unit; or”
2047 and inserting the phrase “to the unit;” in its place.

2048 (B) Subparagraph (B) is amended by striking the phrase “at the location”
2049 and inserting the phrase “at the location; or” in its place.

2050 (C) A new subparagraph (C) is added to read as follows:

2051 “(C) During a period of time for which a public health emergency has
2052 been declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
2053 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), to prevent or
2054 mitigate the spread of contagious disease, as determined by the Department or provider.” in its
2055 place.

2056 (2) Paragraph (2) is amended by striking the phrase “to paragraph (1)(B)” and
2057 inserting the phrase “to paragraph (1)(B) or (C)” in its place.

2058 Sec. 503. Extension of care and custody for aged-out youth.

2059 (a) Section 303(a-1) of the Prevention of Child Abuse and Neglect Act of 1977, effective
2060 September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1303.03(a-1)), is amended as
2061 follows:

2062 (1) Paragraph (12) is amended by striking the phrase “; and” and inserting a
2063 semicolon in its place.

2064 (2) Paragraph (13) is amended by striking the period and inserting the phrase “;
2065 and” in its place.

2066 (3) A new paragraph (14) is added to read as follows:

2067 “(14) To retain custody of a youth committed to the Agency who becomes 21
2068 years of age during a period of time for which the Mayor has declared a public health emergency
2069 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
2070 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), for a period not
2071 exceeding 90 days after the end of the public health emergency; provided, that the youth
2072 consents to the Agency’s continued custody.”.

2073 (b) Chapter 23 of Title 16 of the District of Columbia Official Code is amended as
2074 follows:

2075 (1) Section 16-2303 is amended as follows:

2076 (A) The existing text is designated as subsection (a).

2077 (B) A new subsection (b) is added to read as follows:

2078 “(b) The Division shall retain jurisdiction of a minor in the legal custody of a public
2079 agency pursuant to § 16-2320(a)(1)(3)(A) who becomes 21 years of age during a period of time
2080 for which the Mayor has declared a public health emergency pursuant to § 7-2304.01, for a
2081 period not exceeding 90 days after the end of the public health emergency; provided, that the
2082 minor consents to the Division’s retention of jurisdiction.”.

2083 (2) Section 16-2322(f)(1) is amended by striking the phrase “twenty-one years of
2084 age” and inserting the phrase “21 years of age, not including orders extended pursuant to § 16-
2085 2303(b)” in its place.

2086 Sec. 504. Reserved.

2087 Sec. 505. Health status and residence of wards.

2088 Subchapter V of Chapter 20 of Title 21 of the District of Columbia Official Code is
2089 amended as follows:

2090 (a) The table of contents is amended by adding a new section designation to read as
2091 follows:

2092 “§ 21-2047.03. Duty of guardian to inform certain relatives about the health status and
2093 residence of a ward.”

2094 (b) A new section 21-2047.03 is added to read as follows:

2095 § 21-2047.03. Duty of guardian to inform certain relatives about the health status and
2096 residence of a ward.

2097 “(a) During a period for which a public health emergency has been declared pursuant to
2098 section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002
2099 (D.C. Law 14-194, D.C. Official Code § 7-2304.01), the guardian of a ward shall inform at least
2100 one relative of the ward, if one exists pursuant to subsection (d) of this section, as soon as
2101 practicable but no later than within 48 hours, of the following events:

2102 “(1) The ward dies;

2103 “(2) The ward is admitted to a medical facility;

2104 “(3) The ward is transferred to acute care;

2105 “(4) The ward is placed on a ventilator;

2106 “(5) The residence of the ward or the location where the ward lives has changed;

2107 or

2108 “(6) The ward is staying at a location other than the residence of the ward for a
2109 period that exceeds 7 consecutive days.

2110 “(b) In the case of the death of the ward, the guardian shall inform at least one relative of
2111 the ward, if one exists, pursuant to subsection (d) of this section, of any funeral arrangements and
2112 the location of the final resting place of the ward at least 72 hours before the funeral.

2113 “(c) Nothing in this section shall be construed to exempt a guardian from complying with
2114 federal or District privacy laws to which they are otherwise subject.

2115 “(d) This section shall apply only to the relative of a ward:

2116 “(1) Against whom a protective order is not in effect to protect the ward;

2117 “(2) Who has not been found by a court or other state agency to have abused,
2118 neglected, or exploited the ward; and

2119 “(3) Who has elected in writing to receive a notice about the ward.

2120 “(e) For the purposes of this section the term:

2121 “(1) ‘Relative’ means a spouse, parent, sibling, child, or domestic partner of the
2122 ward.

2123 “(2) ‘Domestic partner’ shall have the same meaning as in section 2(3) of the
2124 Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C.
2125 Official Code § 32-701(3)).”.

2126 Sec. 506. Contact tracing hiring requirements.

2127 An Act to authorize the Commissioners of the District of Columbia to make regulations
2128 to prevent and control the spread of communicable and preventable diseases, approved August
2129 11, 1939 (53 Stat. 1408; D.C. Official Code § 7-131 *et seq.*), is amended by adding a new section
2130 9a to read as follows:

2131 “Sec. 9a. Contact tracing hiring requirements.

2132 “Of the number of persons hired by the Department of Health for positions, whether they
2133 be temporary or permanent, under the Contact Trace Force initiative to contain the spread of the
2134 novel 2019 coronavirus (SARS-CoV-2) in the District, the Director of the Department of Health
2135 shall establish a goal and make the best effort to hire at least 50% District residents, and for the
2136 position of investigator, whether it be a temporary or permanent position, also establish a goal

2137 and make the best effort to hire at least 25% graduates from a workforce development or adult
2138 education program funded or administered by the District of Columbia.”.

2139 Sec. 507. Public health emergency authority.

2140 The District of Columbia Public Emergency Act of 1980, effective March 5, 1981 (D.C.
2141 Law 3-149; D.C. Official Code § 7-2301 *et seq.*), is amended as follows:

2142 (a) Section 5(b) (D.C. Official Code § 7-2304(b)) is amended as follows:

2143 (1) Paragraph (1) is repealed.

2144 (2) Paragraph (2) is amended by striking the phrase “District of Columbia
2145 government;” and inserting the phrase “District of Columbia government; provided further, that
2146 a summary of each emergency procurement entered into during a period for which a public
2147 health emergency is declared shall be provided to the Council no later than 7 days after the
2148 contract is awarded. The summary shall include:

2149 (A) A description of the goods or services procured;

2150 (B) The source selection method;

2151 (C) The award amount; and

2152 (D) The name of the awardee.”.

2153 (3) Paragraph (13) is amended by striking the phrase “; or” and inserting a
2154 semicolon in its place.

2155 (4) Paragraph (14) is amended by striking the period at the end and inserting a
2156 semicolon in its place.

2157 (5) New paragraphs (15) and (16) are added to read as follows:

2158 “(15) Waive application of any law administered by the Department of Insurance,
2159 Securities, and Banking if doing so is reasonably calculated to protect the health, safety, or
2160 welfare of District residents; and

2161 “(16) Notwithstanding any provision of the District of Columbia Government
2162 Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C.
2163 Official Code § 1-601.01 *et seq.*) (“CMPA”), or the rules issued pursuant to the CMPA, the Jobs
2164 for D.C. Residents Amendment Act of 2007, effective February 6, 2008 (D.C. Law 17-108; D.C.
2165 Official Code § 1-515.01 *et seq.*), or any other personnel law or rules, the Mayor may take the
2166 following personnel actions regarding executive branch subordinate agencies that the Mayor
2167 determines necessary and appropriate to address the emergency:

2168 “(A) Redeploying employees within or between agencies;

2169 “(B) Modifying employees’ tours of duty;

2170 “(C) Modifying employees’ places of duty;

2171 “(D) Mandating telework;

2172 “(E) Extending shifts and assigning additional shifts;

2173 “(F) Providing appropriate meals to employees required to work overtime
2174 or work without meal breaks;

2175 “(G) Assigning additional duties to employees;

2176 “(H) Extending existing terms of employees;

2177 “(I) Hiring new employees into the Career, Education, and Management
2178 Supervisory Services without competition;

2179 “(J) Eliminating any annuity offsets established by any law; or

2180 “(K) Denying leave or rescinding approval of previously approved leave.”.

2181 (b) Section 5a(d) (D.C. Official Code § 7-2304.01(d)) is amended as follows:

2182 (1) Paragraph (3) is amended by striking the phrase “solely for the duration of the
2183 public health emergency; and” and inserting the phrase “solely for actions taken during the
2184 public health emergency;” in its place.

2185 (2) Paragraph (4) is amended by striking the period at the end and inserting a
2186 semicolon in its place.

2187 (3) New paragraphs (5), (6), and (7) are added to read as follows:

2188 “(5) Waive application in the District of any law administered by the Department
2189 of Insurance, Securities, and Banking if doing so is reasonably calculated to protect the health,
2190 safety, and welfare of District residents;

2191 “(6) Authorize the use of crisis standards of care or modified means of delivery of
2192 health care services in scarce-resource situations; and

2193 “(7) Authorize the Department of Health to coordinate health-care delivery for
2194 first aid within the limits of individual licensure in shelters or facilities as provided in plans and
2195 protocols published by the Department of Health.”.

2196 (c) A new section 5b to read as follows:

2197 “Sec. 5b. Public health emergency response grants.

2198 “(a) Upon the Mayor’s declaration of a public health emergency pursuant to section 5a,
2199 and for a period not exceeding 90 days after the end of the public health emergency, the Mayor
2200 may, notwithstanding the Grant Administration Act of 2013, effective December 24, 2013 (D.C.
2201 Law 20-61; D.C. Official Code § 1-328.11 et seq.), and in the Mayor’s sole discretion, issue a
2202 grant or loan to a program, organization, business, or entity to assist the District in responding to
2203 the public health emergency, including a grant or loan for the purpose of:

2204 “(1) Increasing awareness and participation in disease investigation and contact
2205 tracing;

2206 “(2) Purchasing and distributing personal protective equipment;

2207 “(3) Promoting and facilitating social distancing measures;

2208 “(4) Providing public health awareness outreach;

2209 “(5) Assisting residents with obtaining disease testing, contacting health care
2210 providers, and obtaining medical services;

2211 “(6) Covering the costs of operating a business or organization including rent,
2212 utilities, or employee wages and benefits; or

2213 “(7) Providing technical assistance to the business community.”

2214 “(b) The Mayor may issue one or more grants to a third-party grant-managing entity for
2215 the purpose of issuing or administering grants on behalf of the Mayor in accordance with the
2216 requirements of this section.

2217 “(c)(1) The Mayor, and any third-party entity chosen pursuant to subsection (b) of this
2218 section, shall maintain a list of all grants and loans awarded pursuant to this section with respect
2219 to each public health emergency for which grants or loans are issued. The list shall identify, for
2220 each award, the grant or loan recipient, the date of award, the intended use of the award, and the
2221 award amount.

2222 “(2) The Mayor shall publish the list online no later than 60 days after the first
2223 grant or loan is issued under this section with respect to a specific public health emergency and
2224 shall publish an updated list online within 30 days after each additional grant or loan, if any, is
2225 issued with respect to the specific public health emergency.

2226 “(d) The Mayor, pursuant to section 105 of the District of Columbia Administrative
2227 Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505), may
2228 issue rules to implement the provisions of this section.”.

2229 (d) Section 7 (D.C. Official Code § 7-2306) is amended by adding a new subsection (c-1)
2230 to read as follows:

2231 “(c-1) Notwithstanding subsections (b) and (c) of this section, the Council
2232 authorizes the Mayor to extend the 15-day March 11, 2020, emergency executive order and
2233 public health emergency executive order (“emergency orders”) issued in response to the novel
2234 2019 coronavirus (SARS CoV-2) until May 20, 2021. After the extension authorized by this
2235 subsection, the Mayor may extend the emergency orders for additional 15-day periods pursuant
2236 to subsection (b) or (c) of this section.”.

2237 (e) Section 8 (D.C. Official Code § 7-2307) is amended as follows:

2238 (1) The existing text is designated as subsection (a).

2239 (2) New subsections (b) and (c) are added to read as follows:

2240 “(b) The Mayor may revoke, suspend, or limit the license, permit, or certificate of
2241 occupancy of a person or entity that violates an emergency executive order.

2242 “(c) For the purposes of this section a violation of a rule, order, or other issuance issued
2243 under the authority of an emergency executive order shall constitute a violation of the emergency
2244 executive order.”.

2245 Sec. 508. Public benefits clarification and continued access.

2246 (a) The District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C.
2247 Law 4-101; D.C. Official Code § 4-201.01 *et seq.*), is amended as follows:

2248 (1) Section 101 (D.C. Official Code § 4-201.01) is amended by adding a new
2249 paragraph (2A-i) to read as follows:

2250 “(2A-i) “COVID-19 relief” means any benefit in cash or in kind, including
2251 pandemic Supplemental Nutrition Assistance Program benefits, emergency Supplemental
2252 Nutrition Assistance Program benefits, and advance refund of tax credits, that are of a gain or
2253 benefit to a household and were received pursuant to federal or District relief provided in
2254 response to the COVID-19 Public Health Emergency of 2020. The term “COVID-19 relief”
2255 does not include COVID-19 related unemployment insurance benefits.”.

2256 (2) Section 505(4) (D.C. Official Code § 4-205.05(4)) is amended by striking the
2257 phrase “medical assistance” and inserting the phrase “medical assistance; COVID-19 relief;” in
2258 its place.

2259 (3) Section 533(b) (D.C. Official Code § 4-205.33(b)) is amended by adding a
2260 new paragraph (4) to read as follows:

2261 “(4) COVID-19 relief shall not be considered in determining eligibility for TANF
2262 and shall not be treated as a lump-sum payment or settlement under this act.”.

2263 (b) Notwithstanding any provision of District law, the Mayor may extend the eligibility
2264 period for individuals receiving benefits, extend the timeframe for determinations for new
2265 applicants, and take such other actions as the Mayor determines appropriate to support continuity
2266 of, and access to, any public benefit program, including the DC Healthcare Alliance and
2267 Immigrant Children’s program, Temporary Assistance for Needy Families, and Supplemental
2268 Nutritional Assistance Program, until 60 days after the end of a public health emergency
2269 declared by the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act
2270 of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), as
2271 allowable under federal law.

2272 Sec. 509. Notice of modified staffing levels.

2273 Section 504(h-1)(1)(B) of the Health-Care and Community Residence Facility Hospice
2274 and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C.
2275 Official Code § 44-504(h-1)(1)(B)), is amended as follows:

2276 (a) Sub-subparagraph (i) is amended by striking the phrase “; and” and inserting a
2277 semicolon in its place.

2278 (b) Sub-subparagraph (ii) is amended by striking the semicolon and inserting the phrase
2279 “; and” in its place.

2280 (c) A new sub-subparagraph (iii) is added to read as follows:

2281 “(iii) Provide a written report of the staffing level to the Department of Health for
2282 each day that the facility is below the prescribed staffing level as a result of circumstances giving
2283 rise to a public health emergency during a period of time for which the Mayor has declared a
2284 public health emergency pursuant to section 5a of the District of Columbia Public Emergency
2285 Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).”.

2286 Sec. 510. Reserved.

2287 Sec. 511. Reserved.

2288 Sec. 512. Long-Term Care Facility reporting of positive cases.

2289 Each long-term care facility located in the District shall report daily to the Department of
2290 Health both the number of novel 2019 coronavirus (SARS-CoV-2) positive cases and the number
2291 of novel 2019 coronavirus (SARS-CoV-2)-related deaths for both employees and residents of the
2292 long-term care facility during the period of time for which the Mayor has declared a public
2293 health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of
2294 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and for 60
2295 days thereafter.

2296 Sec. 514. Hospital support funding.

2297 (a) The Mayor may, notwithstanding the Grant Administration Act of 2013, effective
2298 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), and in the Mayor's
2299 sole discretion, issue a grant to an eligible hospital; provided, that the eligible hospital submits a
2300 grant application in the form and with the information required by the Mayor.

2301 (b) The amount of a grant issued to an eligible hospital shall be based on:

2302 (1) An allocation formula based on the number of beds at the eligible hospital; or

2303 (2) Such other method or formula, as established by the Mayor, that addresses the
2304 impacts of COVID-19 on eligible hospitals.

2305 (c) A grant issued pursuant to this section may be expended by the eligible hospital for:

2306 (1) Supplies and equipment related to the COVID-19 emergency, including
2307 personal protective equipment, sanitization and cleaning products, medical supplies and
2308 equipment, and testing supplies and equipment;

2309 (2) Personnel costs incurred to respond to the COVID-19 emergency, including
2310 the costs of contract staff; and

2311 (3) Costs of constructing and operating temporary structures to test individuals for
2312 COVID-19 or to treat patients with COVID-19.

2313 (d) The Mayor may issue one or more grants to a third-party grant-managing entity for
2314 the purpose of administering the grant program authorized by this section and making subgrants
2315 on behalf of the Mayor in accordance with the requirements of this section.

2316 (e) The Mayor shall maintain a list of all grants awarded pursuant to this section,
2317 identifying for each award the grant recipient, the date of award, intended use of the award, and
2318 the award amount. The Mayor shall publish the list online no later than July 1, 2020, or 30 days
2319 after the end of the COVID-19 emergency, whichever is earlier.

2320 (f) The Mayor, pursuant to section 105 of the District of Columbia Administrative
2321 Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505), may
2322 issue rules to implement the provisions of this section.

2323 (g) For the purposes of this section, the term:

2324 (1) "COVID-19" means the disease caused by the novel 2019 coronavirus SARS-
2325 CoV-2.

2326 (2) "COVID-19 emergency" means the emergencies declared in the Declaration
2327 of Public Emergency (Mayor's Order 2020-045) and the Declaration of Public Health
2328 Emergency (Mayor's Order 2020-046), declared on March 11, 2020, including any extension of
2329 those emergencies.

2330 (3) "Eligible hospital" means a non-profit or for-profit hospital located in the
2331 District.

2332 Sec. 515. Contractor reporting of positive cases.

2333 (a) A District government contractor or subcontractor shall immediately provide written
2334 notice to the District if it or its subcontractor learns, or has reason to believe, that a covered

2335 employee has come into contact with, had a high likelihood of coming into contact with, or has
2336 worked in close physical proximity to a covered individual.

2337 (b) Notices under subsection (a) of this section shall be made to the District government's
2338 contracting officer and contract administrator, or, if a covered individual is in care or custody of
2339 the District, to the District agency authorized to receive personally identifiable information. The
2340 notices shall contain the following information:

2341 (1) The name, job title, and contact information of the covered employee;

2342 (2) The date on, and location at, which the covered employee was exposed, or
2343 suspected to have been exposed, to SARS-CoV-2, if known;

2344 (3) All of the covered employee's tour-of-duty locations or jobsite addresses and
2345 the employee's dates at such locations and addresses;

2346 (4) The names of all covered individuals whom the covered employee is known to
2347 have come into contact with, had a high likelihood of coming into contact with, or was in close
2348 physical proximity to, while the covered employee performed any duty under the contract with
2349 the District; and

2350 (5) Any other information related to the covered employee that will enable the
2351 District to protect the health or safety of District residents, employees, or the general public.

2352 (c) A District government contractor or subcontractor shall immediately cease the on-site
2353 performance of a covered employee until such time as the covered employee no longer poses a
2354 health risk as determined in writing by a licensed health care provider. The District government

2355 contractor shall provide a written copy of the determination to the contract administrator and the
2356 contracting officer before the covered employee returns to his or her tour-of-duty location or
2357 jobsite address.

2358 (d) The District shall privately and securely maintain all personally identifiable
2359 information of covered employees and covered individuals and shall not disclose such
2360 information to a third party except as authorized or required by law. District contractors and
2361 subcontractors may submit notices pursuant to subsection (a) of this section and otherwise
2362 transmit personally identifiable information electronically; provided, that all personally
2363 identifiable information be transmitted via a secure or otherwise encrypted data method.

2364 (e) For purposes of this section, the term:

2365 (1) "Covered employee" means an employee, volunteer, subcontractor, or agent
2366 of a District government contractor or subcontractor that has provided any service under a
2367 District contract or subcontract and has:

2368 (A) Tested positive for the novel 2019 coronavirus (SARS-CoV-2);

2369 (B) Is in quarantine or isolation due to exposure or suspected exposure to the
2370 novel 2019 coronavirus (SARS-CoV-2); or

2371 (C) Is exhibiting symptoms of COVID-19.

2372 (2) "Covered individual" means:

2373 (A) A District government employee, volunteer, or agent;

2374 (B) An individual in the care of the District, the contractor, or the
2375 subcontractor; or

2376 (C) A member of the public who interacted with, or was in close proximity
2377 to, a covered employee while the covered employee carried out performance under a District
2378 government contract or subcontract and while the covered employee was at a District
2379 government facility or a facility maintained or served by the contractor or subcontractor under a
2380 District government contract or subcontract.

2381 (3) "COVID-19" means the disease caused by the novel 2019 coronavirus
2382 (SARS-CoV-2).

2383 (4) "District government facility" means a building or any part of a building that
2384 is owned, leased, or otherwise controlled by the District government.

2385 (5) "SARS-CoV-2" means the novel 2019 coronavirus.

2386 (f) This section shall apply to all District government contracts and subcontracts that
2387 were in effect on, or awarded after March 11, 2020, and shall remain in effect during the period
2388 of time for which the Mayor has declared a public health emergency pursuant to section 5a of the
2389 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
2390 194; D.C. Official Code § 7- 2304.01), and for 30 days thereafter.

2391 **TITLE VI. EDUCATION**

2392 Sec. 601. Graduation requirements.

2393 Chapter 22 of Title 5-A of the District of Columbia Municipal Regulations (5-A DCMR §
2394 2201 *et seq.*) is amended as follows:

2395 (a) Section 2203.3(f) (5-A DCMR § 2203.3(f)) is amended by striking the phrase “shall
2396 be satisfactorily completed” and inserting the phrase “shall be satisfactorily completed; except,
2397 that this requirement shall be waived for a senior who otherwise would be eligible to graduate
2398 from high school in the District of Columbia in the 2019-20 or 2020-2021 school year” in its
2399 place.

2400 (b) Section 2299.1 (5-A DCMR § 2299.1) is amended by striking the phrase “one
2401 hundred and twenty (120) hours of classroom instruction over the course of an academic year”
2402 and inserting the phrase “one hundred and twenty (120) hours of classroom instruction over the
2403 course of an academic year; except, that following the Superintendent’s approval to grant an
2404 exception to the one hundred eighty (180) day instructional day requirement pursuant to 5A
2405 DCMR § 2100.3 for school year 2019-2020 or 2020-2021, a Carnegie Unit may consist of fewer
2406 than one hundred and twenty (120) hours of classroom instruction over the course of the 2019-
2407 2020 or 2020-2021 academic year for any course in which a student in grades 9-12 is enrolled”
2408 in its place.

2409 Sec. 602. Out of school time report waiver.

2410 Section 8 of the Office of Out of School Time Grants and Youth Outcomes Establishment
2411 Act of 2016, effective April 7, 2017 (D.C. Law 21-261; D.C. Official Code § 2-1555.07), is
2412 amended by adding a new subsection (c) to read as follows:

2413 “(c) During a period of time for which the Mayor has declared a public health emergency
2414 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
2415 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the Office may waive the
2416 requirement to conduct an annual, community-wide needs assessment pursuant to subsection
2417 (a)(1) of this section.”.

2418

2419 Sec. 603. Summer school attendance.

2420 Section 206 of the Student Promotion Act of 2013, effective February 22, 2014 (D.C.
2421 Law 20-84; D.C. Official Code § 38-781.05), is amended by adding a new subsection (c) to read
2422 as follows:

2423 “(c) The Chancellor shall have the authority to waive the requirements of subsection (a)
2424 of this section for any student who fails to meet the promotion criteria specified in the DCMR
2425 during a school year that includes a period of time for which the Mayor has declared a public
2426 health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of
2427 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).”.

2428 Sec. 604. Reserved.

2429 Sec. 605. Reserved.

2430 Sec. 606. Reserved.

2431 **TITLE VII. PUBLIC SAFETY AND JUSTICE**

2432 Sec. 701. Jail reporting.

2433 Section 3022(c) of the Office of the Deputy Mayor for Public Safety and Justice
2434 Establishment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code §
2435 1-301.191(c)), is amended as follows:

2436 (a) Paragraph (6)(G)(viii) is amended by striking the phrase “; and” and inserting a
2437 semicolon in its place.

2438 (b) Paragraph (7) is amended by striking the period and inserting the phrase “; and” in its
2439 place.

2440 (c) A new paragraph (8) is added to read as follows:

2441 “(8) During a period of time for which the Mayor has declared a public health
2442 emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
2443 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), provide to the
2444 Council Committee with jurisdiction over the Office a

2445 “(A) Monthly written update containing the following information:

2446 “(i) Unless otherwise distributed to the Chairperson of the Council
2447 Committee with jurisdiction over the Office by the Criminal Justice Coordinating Council, a

2448 daily census for that week of individuals detained in the Central Detention Facility and
2449 Correctional Treatment Facility, categorized by legal status;

2450 “(ii) Any District Government response to either the United States
2451 District Court for the District of Columbia or the Court-appointed inspectors regarding the
2452 implementation of the Court’s orders and resolution of the inspectors’ findings in the matter of
2453 *Banks v. Booth* (Civil Action No. 20-849), without reference to personally identifiable
2454 information; and

2455 “(iii) A description of all actions taken by the District Government
2456 to improve conditions of confinement in the Central Detention Facility and Correctional
2457 Treatment Facility, including by the Director of the Department of Youth and Rehabilitation
2458 Services or Director’s designee; and

2459 “(B) Weekly written updates, without reference to personally identifiable
2460 information, containing data and a description of the COVID-19 testing and vaccination of
2461 Department of Corrections staff and individuals detained in the Central Detention Facility and
2462 Correctional Treatment Facility, including whether and under what conditions the District is
2463 vaccinating and testing both groups.”.

2464 Sec. 702. Civil rights enforcement.

2465 The Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C.

2466 Official Code § 2-1401.01 *et seq.*), is amended by adding a new section 316a to read as follows:

2467 “Sec. 316a. Civil actions by the Attorney General.

2468 “During a period of time for which the Mayor has declared a public health emergency
2469 (“PHE”) pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
2470 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), in a civil action
2471 initiated by the Attorney General for the District of Columbia (“Attorney General”) for
2472 violations of this act, or a civil action arising in connection with the PHE, other than an action
2473 brought pursuant to section 307:

2474 “(1) The Attorney General may obtain:

2475 “(A) Injunctive relief, as described in section 307;

2476 “(B) Civil penalties, up to the amounts described in section 313(a)(1)(E-
2477 1), for each action or practice in violation of this act, and, in the context of a discriminatory
2478 advertisement, for each day the advertisement was posted; and

2479 “(C) Any other form of relief described in section 313(a)(1); and

2480 “(2) The Attorney General may seek subpoenas for the production of documents
2481 and materials or for the attendance and testimony of witnesses under oath, or both, which shall
2482 contain the information described in section 110a(b) of the Attorney General for the District of
2483 Columbia Clarification and Elected Term Amendment Act of 2010, effective October 22, 2015
2484 (D.C. Law 21-36; D.C. Official Code § 1-301.88d(b)) (“Act”), and shall follow the procedures
2485 described in section 110a(c), (d), and (e) of the Act (D.C. Official Code § 1-301.88d(c), (d), and
2486 (e)); provided, that the subpoenas are not directed to a District government official or entity.”.

2487 Sec. 703. FEMS reassignments.

2488 Section 212 of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law
2489 2-38; D.C. Official Code § 2-1402.12), is amended by adding a new subsection (c) to read as
2490 follows:

2491 “(c) It shall not be an unlawful discriminatory practice for the Mayor to reassign
2492 personnel of the Fire and Emergency Medical Services Department from firefighting and
2493 emergency medical services operations during a period of time for which a public health
2494 emergency has been declared pursuant to section 5a of the District of Columbia Public
2495 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
2496 2304.01), based upon the inability of the personnel to wear personal protective equipment in a
2497 manner consistent with medical and health guidelines.”.

2498 Sec. 704. Reserved.

2499 Sec. 705. Reserved.

2500 Sec. 706. ~~Reserved. Good time credits and compassionate release.~~

2501 ~~—— (a) Section 3c(e) of the District of Columbia Good Time Credits Act of 1986, effective~~
2502 ~~May 17, 2011 (D.C. Law 18-732; D.C. Official Code § 24-221.01c(e)), is amended by striking~~
2503 ~~the phrase “this section combined” and inserting the phrase “this section combined; except that~~
2504 ~~the Department of Corrections shall have discretion to award additional credits beyond the limits~~
2505 ~~described in this subsection, including pursuant to section 3 and this section, consistent with~~
2506 ~~public safety.”.~~

2507 ~~—————(b) An Act To establish a Board of Indeterminate Sentence and Parole for the District of~~
2508 ~~Columbia and to determine its functions, and for other purposes, approved July 15, 1932 (47~~
2509 ~~Stat. 696; D.C. Official Code § 24-403 et seq.), is amended as follows:~~

2510 ~~—————(1) A new section 3a-1 is added to read as follows:~~

2511 ~~—————“Sec. 3a-1. Good time credit for felony offenses committed before August 5, 2000.~~

2512 ~~—————“(a)(1) Notwithstanding any other provision of law, a defendant who is serving a term of~~
2513 ~~imprisonment for an offense committed between June 22, 1994, and August 4, 2000, shall be~~
2514 ~~retroactively awarded good time credit toward the service of the defendant’s sentence of up to 54~~
2515 ~~days, or more if consistent with 18 U.S.C. § 3624(b), for each year of the defendant’s sentence~~
2516 ~~imposed by the court, subject to determination by the Bureau of Prisons that during those years~~
2517 ~~the defendant has met the conditions provided in 18 U.S.C. § 3624(b).~~

2518 ~~—————“(2) An award of good time credit pursuant to paragraph (1) of this subsection~~
2519 ~~shall apply to the minimum and maximum term of incarceration, including the mandatory~~
2520 ~~minimum; except, that in the event of a maximum term of life, only the minimum term shall~~
2521 ~~receive good time.~~

2522 ~~—————“(b)(1) Notwithstanding any other provision of law, a defendant who is serving a term of~~
2523 ~~imprisonment for an offense committed before June 22, 1994, shall be retroactively awarded~~
2524 ~~good time credit toward the service of the defendant’s sentence of up to 54 days, or more if~~
2525 ~~consistent with 18 U.S.C. § 3624(b), for each year of the defendant’s sentence imposed by the~~

2526 court, subject to determination by the Bureau of Prisons that during those years the defendant has
2527 met the conditions provided in 18 U.S.C. § 3624(b).

2528 ~~“(2) An award of good time credit pursuant to paragraph (1) of this subsection:~~

2529 ~~“(A) Shall apply to any mandatory minimum term of incarceration; and~~

2530 ~~“(B) Is not intended to modify how the defendant is awarded good time~~
2531 ~~credit toward any portion of the sentence other than the mandatory minimum.”.~~

2532 ~~“(2) A new section 3d is added to read as follows:~~

2533 ~~“Sec. 3d. Motions for compassionate release for individuals convicted of felony offenses.~~

2534 ~~“(a) Notwithstanding any other provision of law, the court shall modify a term of~~
2535 ~~imprisonment imposed upon a defendant if it determines the defendant is not a danger to the~~
2536 ~~safety of any other person or the community, pursuant to the factors to be considered in 18~~

2537 ~~U.S.C. §§ 3142(g) and 3553(a) and evidence of the defendant's rehabilitation while incarcerated,~~
2538 ~~and:~~

2539 ~~“(1) The defendant has a terminal illness, which means a disease or condition with~~
2540 ~~an end of life trajectory;~~

2541 ~~“(2) The defendant is 60 years of age or older and has served at least 20 years in~~
2542 ~~prison; or~~

2543 ~~“(3) Other extraordinary and compelling reasons warrant such a modification,~~
2544 ~~including:~~

2545 ~~_____“(A) A debilitating medical condition involving an incurable illness, or a~~
2546 ~~debilitating injury from which the defendant will not recover;~~

2547 ~~_____“(B) Elderly age, defined as a defendant who:~~

2548 ~~_____“(i) Is 60 years of age or older;~~

2549 ~~_____“(ii) Has served the lesser of 15 years or 75% of the defendant’s~~
2550 ~~sentence; and~~

2551 ~~_____“(iii) Suffers from a chronic or serious medical condition related to~~
2552 ~~the aging process or that causes an acute vulnerability to severe medical complications or death~~
2553 ~~as a result of COVID-19;~~

2554 ~~_____“(C) Death or incapacitation of the family member caregiver of the~~
2555 ~~defendant’s children; or~~

2556 ~~_____“(D) Incapacitation of a spouse or a domestic partner when the defendant~~
2557 ~~would be the only available caregiver for the spouse or domestic partner.~~

2558 ~~_____“(b) Motions brought pursuant to this section may be brought by the United States~~
2559 ~~Attorney’s Office for the District of Columbia, the Bureau of Prisons, the United States Parole~~
2560 ~~Commission, or the defendant.~~

2561 ~~_____“(c) Although a hearing is not required, to provide for timely review of a motion made~~
2562 ~~pursuant to this section and at the request of counsel for the defendant, the court may waive the~~
2563 ~~appearance of a defendant currently held in the custody of the Bureau of Prisons.~~

2564 ———“~~(d) For the purposes of this section, the term “COVID-19” means the disease caused by~~
2565 ~~the novel 2019 coronavirus SARS-CoV-2.”.~~

2566 Sec. 707. Healthcare provider liability.

2567 (a) Notwithstanding any provision of District law:

2568 (1) A healthcare provider, first responder, or volunteer who renders care or
2569 treatment to a potential, suspected, or diagnosed individual with COVID-19 shall be exempt
2570 from liability in a civil action for damages resulting from such care or treatment of COVID-19,
2571 or from any act or failure to act in providing or arranging medical treatment for COVID-19;

2572 (2) A donor of time, professional services, equipment, or supplies for the benefit
2573 of persons or entities providing care or treatment for COVID-19 to a suspected or diagnosed
2574 individual with COVID-19, or care for the family members of such individuals for damages
2575 resulting from such donation shall be exempt from liability in a civil action; and

2576 (3) A contractor or subcontractor on a District government contract that has been
2577 contracted to provide either health care services or human care services, consistent with section
2578 104(37) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-
2579 371; D.C. Official Code § 2-351.04(37)), related to the District government’s COVID-19
2580 response shall be exempt from liability in a civil action.

2581 (b) The limitations on liability provided for by subsection (a) of this section shall apply to
2582 any healthcare provider, first responder, volunteer, donor, or District government contractor or
2583 subcontractor of a District government contractor (“provider”), including a party involved in the

2584 healthcare process at the request of a health-care facility or the District government and acting
2585 within the scope of the provider's employment or organization's purpose, contractual or
2586 voluntary service, or donation, even if outside the provider's professional scope of practice, state
2587 of licensure, or with an expired license, who:

2588 (1) Prescribes or dispenses medicines for off-label use to attempt to combat the
2589 COVID-19 virus, in accordance with the Trickett Wendler, Frank Mongiello, Jordan McLinn,
2590 and Matthew Bellina Right to Try Act of 2017, approved May 30, 2018 (Pub. L. No. 115-176;
2591 132 Stat. 1372).

2592 (2) Provides direct or ancillary health-care services or health care products,
2593 including direct patient care, testing, equipment or supplies, consultations, triage services,
2594 resource teams, nutrition services, or physical, mental, and behavioral therapies; or

2595 (3) Utilizes equipment or supplies outside of the product's normal use for medical
2596 practice and the provision of health-care services to combat the COVID-19 virus;

2597 (c) The limitations on civil liability provided for by subsection (a) of this section shall not
2598 extend to:

2599 (1) Acts or omissions that constitute actual fraud, actual malice, recklessness,
2600 breach of contract, gross negligence, or willful misconduct; or

2601 (2) Acts or omissions unrelated to direct patient care; provided, that a contractor
2602 or subcontractor shall not be liable for damages for any act or omission alleged to have caused an
2603 individual to contract COVID-19.

2604 (d) The limitations on liability provided for by subsection (a) of this section extend to
2605 acts, omissions, and donations performed or made during a period of time for which the Mayor
2606 has declared a public health emergency pursuant to section 5a of the District of Columbia Public
2607 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
2608 2304.01), and to damages that ensue at any time from acts, omissions, and donations made
2609 during the public health emergency.

2610 (e) A healthcare provider, first responder, or volunteer who renders care or treatment to a
2611 potential, suspected, or diagnosed individual with COVID-19 shall be exempt from criminal
2612 prosecution for any act or failure to act in providing or arranging medical treatment for COVID-
2613 19 during a public health emergency, if such action is made in good faith.

2614 (f) The limitations on liability provided for by this section do not limit the applicability of
2615 other limitations on liability, including qualified and absolute immunity, that may otherwise
2616 apply to a person covered by this section.

2617 (g) For the purposes of this section, the term “COVID-19” means the disease caused by
2618 the novel 2019 coronavirus SARS-CoV-2.

2619 Sec. 708. Notwithstanding Council Rule 413, section 303(b) of the Comprehensive
2620 Policing and Justice Reform Second Temporary Amendment Act of 2020, effective December 3,
2621 2020 (D.C. Law 23-151; 67 DCR 9920), is amended by striking the number “225” and inserting
2622 the number “295” in its place.

2623 **TITLE VIII. GOVERNMENT OPERATIONS**

2624 Sec. 801. Reserved.

2625 Sec. 802. Reserved.

2626 Sec. 803. Reserved.

2627 Sec. 804. Reserved.

2628 Sec. 805. Reserved.

2629 Sec. 806. Reserved.

2630 Sec. 807. Remote notarizations.

2631 The Revised Uniform Law on Notarial Acts Act of 2018, effective December 4, 2018

2632 (D.C. Law 22-189; D.C. Official Code § 1-1231.01 *et seq.*), is amended as follows:

2633 (a) Section 2 (D.C. Official Code § 1-1231.01) is amended by adding a new paragraph
2634 (1A) to read as follows:

2635 “(1A) “Audio-video communication” means an electronic device or process that:

2636 “(A) Enables a notary public to view, in real time, an individual and to
2637 compare for consistency the information and photos on that individual’s government-issued
2638 identification; and

2639 “(B) Is specifically designed to facilitate remote notarizations.”.

2640 (b) Section 6 (D.C. Official Code § 1-1231.05) is amended as follows:

2641 (1) The existing text is designated as subsection (a).

2642 (2) A new subsection (b) is added to read as follows:

2643 “(b) Notwithstanding any provision of District law, during a period of time for which the
2644 Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia
2645 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official
2646 Code § 7-2304.01), the Mayor may authorize, without the personal appearance of the individual
2647 making the statement or executing the signature, notarial acts required or permitted under
2648 District law if:

2649 “(1) The notary public and the individual communicate with each other
2650 simultaneously by sight and sound using audio-video communication; and

2651 “(2) The notary public:

2652 “(A) Has notified the Mayor of the intention to perform notarial acts using
2653 audio-video communication and the identity of the audio-video communication the notary public
2654 intends to use;

2655 “(B) Has satisfactory evidence of the identity of the individual by means
2656 of:

2657 “(i) Personal knowledge or by the individual’s presentation of a
2658 current government-issued identification that contains the signature or photograph of the
2659 individual to the notary public during the video conference; or

2660 “(ii) A verification on oath or affirmation of a credible witness
2661 personally appearing before the officer and known to the officer or whom the officer can identify
2662 based on a current passport, driver’s license, or government-issued nondriver identification card;

2663 “(C) Confirms that the individual made a statement or executed a
2664 signature on a document;

2665 “(D) Receives by electronic means a legible copy of the signed document
2666 directly from the individual immediately after it was signed;

2667 “(E) Upon receiving the signed document, immediately completes the
2668 notarization;

2669 “(F) Upon completing the notarization, immediately transmits by
2670 electronic means the notarized document to the individual;

2671 “(G) Creates, or directs another person to create, and retains an audio-
2672 visual recording of the performance of the notarial act; and

2673 “(H) Indicates on a certificate of the notarial act and in a journal that the
2674 individual was not in the physical presence of the notary public and that the notarial act was
2675 performed using audio-visual communication.”.

2676 (c) Section 10 (D.C. Official Code § 1-1231.09) is amended by adding a new subsection
2677 (d) to read as follows:

2678 “(d) Notwithstanding any provision of District law, during a period of time for which the
2679 Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia
2680 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official
2681 Code § 7-2304.01), a notarial act shall be deemed to be performed in the District.”.

2682 Sec. 808. Reserved.

2683 Sec. 809. Open meetings.

2684 The Open Meetings Act, effective March 31, 2011 (D.C. Law 18-350; D.C. Official Code
2685 § 2-571 *et seq.*), is amended as follows:

2686 (a) Section 405(a) (D.C. Official Code § 2-575(a)) is amended as follows:

2687 (1) Paragraph (2) is amended by striking the phrase “; or” and inserting a
2688 semicolon in its place.

2689 (2) Paragraph (3) is amended by striking the period and inserting the phrase “; or”
2690 in its place.

2691 (3) A new paragraph (4) is added to read as follows:

2692 “(4) During a period for which a public health emergency has been declared
2693 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
2694 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the public body takes
2695 steps reasonably calculated to allow the public to view or hear the meeting while the meeting is
2696 taking place, or, if doing so is not technologically feasible, as soon thereafter as reasonably
2697 practicable.”.

2698 (b) Section 406 (D.C. Official Code § 2-576) is amended by adding a new paragraph (6)
2699 to read as follows:

2700 “(6) The public posting requirements of paragraph (2)(A) of this section shall not
2701 apply during a period for which a public health emergency has been declared pursuant to section

2702 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
2703 Law 14-194; D.C. Official Code § 7-2304.01).”.

2704 (c) Section 407(a)(1) (D.C. Official Code § 2-577(a)(1)) is amended by striking the
2705 phrase “attend the meeting;” and inserting the phrase “attend the meeting, or in the case of a
2706 meeting held during a period for which a public health emergency has been declared pursuant to
2707 section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002
2708 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), steps are taken that are reasonably
2709 calculated to allow the public to view or hear the meeting while the meeting is taking place, or, if
2710 doing so is not technologically feasible, as soon thereafter as reasonably practicable.”.

2711 (d) Section 408(b) (D.C. Official Code § 2-578(b)) is amended by adding a new
2712 paragraph (3) to read as follows:

2713 “(3) The schedule provided in paragraphs (1) and (2) of this subsection shall be
2714 tolled during a period for which a public health emergency has been declared pursuant to section
2715 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
2716 Law 14-194; D.C. Official Code § 7-2304.01).”.

2717 Sec. 810. Electronic witnessing.

2718 (a) Title 16 of the District of Columbia Official Code is amended as follows:

2719 (1) Section 16-4802 is amended as follows:

2720 (A) New paragraphs (9A) and (9B) are added to read as follows:

2721 “(9A) “Electronic” means relating to technology having electrical, digital,
2722 magnetic, wireless, optical, electromagnetic, or similar capabilities.

2723 “(9B) “Electronic presence” means when one or more witnesses are in a different
2724 physical location than the designator but can observe and communicate with the designator and
2725 one another to the same extent as if the witnesses and designator were physically present with
2726 one another.”.

2727 (B) New paragraphs (11A) and (11B) are added to read as follows:

2728 “(11A) “Record” means information that is inscribed on a tangible medium or that
2729 is stored in an electronic medium and is retrievable in perceivable form.

2730 “(11B) “Sign” means with present intent to authenticate or adopt a record to:

2731 “(A) Execute or adopt a tangible symbol; or

2732 “(B) Affix to or associate with the record an electronic signature.”.

2733 (2) Section 16-4803 is amended as follows:

2734 (A) Subsection (c) is amended by striking the phrase “the adult signs the
2735 designation in the presence of the designator” and inserting the phrase “the adult signs the
2736 designation in the presence or, during a period of time for which the Mayor has declared a public
2737 health emergency pursuant to § 7-2304.01, the electronic presence of the designator” in its place.

2738 (B) Subsection (d) is amended by striking the phrase “in the presence of 2
2739 witnesses” and inserting the phrase “in the presence or, during a period of time for which the

2740 Mayor has declared a public health emergency pursuant to § 7-2304.01, the electronic presence
2741 of 2 witnesses” in its place.

2742 (b) Title 21 of the District of Columbia Official Code is amended as follows:

2743 (1) Section 21-2011 is amended as follows:

2744 (A) New paragraphs (5B-i) and (5B-ii) are added to read as follows:

2745 “(5B-i) “Electronic” means relating to technology having electrical, digital,
2746 magnetic, wireless, optical, electromagnetic, or similar capabilities.

2747 “(5B-ii) “Electronic presence” means when one or more witnesses are in a
2748 different physical location than the signatory but can observe and communicate with the
2749 signatory and one another to the same extent as if the witnesses and signatory were physically
2750 present with one another.”.

2751 (B) New paragraphs (23A) and (23B) are added to read as follows:

2752 “(23A) “Record” means information that is inscribed on a tangible medium or that
2753 is stored in an electronic medium and is retrievable in perceivable form.

2754 “(23B) “Sign” means with present intent to authenticate or adopt a record to:

2755 “(A) Execute or adopt a tangible symbol; or

2756 “(B) Affix to or associate with the record an electronic signature.”.

2757 (2) Section 21-2043 is amended by adding a new subsection (c-1) to read as
2758 follows:

2759 “(c-1) With respect to witnesses referred to in subsection (c) of this section, witnesses
2760 must be in the presence or, during a period of time for which the Mayor has declared a public
2761 health emergency pursuant to § 7-2304.01, the electronic presence of the signatory.”.

2762 (3) Section 21-2202 is amended as follows:

2763 (A) New paragraphs (3A) and (3B) are added to read as follows:

2764 “(3A) “Electronic” means relating to technology having electrical, digital,
2765 magnetic, wireless, optical, electromagnetic, or similar capabilities.

2766 “(3B) “Electronic presence” means when one or more witnesses are in a different
2767 physical location than the principal but can observe and communicate with the principal and one
2768 another to the same extent as if the witnesses and principal were physically present with one
2769 another.”.

2770 (B) A new paragraph (6B) is added to read as follows:

2771 “(6B) “Record” means information that is inscribed on a tangible medium or that
2772 is stored in an electronic medium and is retrievable in perceivable form.”.

2773 (C) A new paragraph (8) is added to read as follows:

2774 “(8) “Sign” means with present intent to authenticate or adopt a record to:

2775 “(A) Execute or adopt a tangible symbol; or

2776 “(B) Affix to or associate with the record an electronic signature.”.

2777 (4) Section 21-2205(c) is amended by striking the phrase “2 adult witnesses who
2778 affirm that the principal was of sound mind” and inserting the phrase “2 adult witnesses who, in

2779 the presence or, during a period of time for which the Mayor has declared a public health
2780 emergency pursuant to § 7-2304.01, the electronic presence of the principal, affirm that the
2781 principal was of sound mind” in its place.

2782 (5) Section 21-2210(c)) is amended is amended by striking the phrase “There
2783 shall be at least 1 witness present” and inserting the phrase “There shall be at least one witness
2784 present or, during a period of time for which the Mayor has declared a public health emergency
2785 pursuant to § 7-2304.01, electronically present” in its place.

2786 (c) Title III of the Disability Services Reform Amendment Act of 2018, effective May 5,
2787 2018 (D.C. Law 22-93; D.C. Official Code § 7-2131 *et seq.*), is amended as follows:

2788 (1) Section 301 (D.C. Official Code § 7-2131) is amended as follows:

2789 (A) New paragraphs (6A) and (6B) are added to read as follows:

2790 “(6A) “Electronic” means relating to technology having electrical, digital,
2791 magnetic, wireless, optical, electromagnetic, or similar capabilities.

2792 “(6B) “Electronic presence” means when one or more witnesses are in a different
2793 physical location than the signatory but can observe and communicate with the signatory and one
2794 another to the same extent as if the witnesses and signatory were physically present with one
2795 another.”.

2796 (B) New paragraphs (9A) and (9B) are added to read as follows:

2797 “(9A) “Record” means information that is inscribed on a tangible medium or that
2798 is stored in an electronic medium and is retrievable in perceivable form.

2799 “(9B) “Sign” means with present intent to authenticate or adopt a record to:

2800 “(A) Execute or adopt a tangible symbol; or

2801 “(B) Affix to or associate with the record an electronic signature.”.

2802 (2) Section 302 (D.C. Official Code § 7-2132) is amended by adding a

2803 new subsection (c-1) to read as follows:

2804 “(c-1) With respect to witnesses referred to in subsection (c) of this section, witnesses

2805 must be in the presence or, during a period of time for which the Mayor has declared a public

2806 health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of

2807 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the

2808 electronic presence of the signatory.”.

2809 Sec. 811. Electronic wills.

2810 Chapter 1 of Title 18 of the District of Columbia Official Code is amended as follows:

2811 (a) The table of contents is amended by adding a new section designation to read as

2812 follows:

2813 “18-813. Electronic wills.”.

2814 (b) Section 18-103(2) is amended by striking the phrase “in the presence of the testator”

2815 and inserting the phrase “in the presence or, during a period of time for which the Mayor has

2816 declared a public health emergency pursuant to § 7-2304.01, the electronic presence, as defined

2817 in § 18-813(a)(2), of the testator” in its place.

2818 (c) A new section 18-813 is added to read as follows:

2819 “§ 18-813. Electronic wills.

2820 “(a) For the purposes of this section, the term:

2821 “(1) “Electronic” means relating to technology having electrical, digital,
2822 magnetic, wireless, optical, electromagnetic, or similar capabilities.

2823 “(2) “Electronic presence” means when one or more witnesses are in a different
2824 physical location than the testator but can observe and communicate with the testator and one
2825 another to the same extent as if the witnesses and testator were physically present with one
2826 another.

2827 “(3) “Electronic will” means a will or codicil executed by electronic means.

2828 “(4) “Record” means information that is inscribed on a tangible medium or that is
2829 stored in an electronic medium and is retrievable in perceivable form.

2830 “(5) “Sign” means, with present intent to authenticate or adopt a record, to:

2831 “(A) Execute or adopt a tangible symbol; or

2832 “(B) Affix to or associate with the record an electronic signature.

2833 “(b)(1) A validly executed electronic will shall be a record that is:

2834 “(A) Readable as text at the time of signing pursuant to subparagraph (B)
2835 of this paragraph; and

2836 “(B) Signed:

2837 “(i) By the testator, or by another person in the testator’s physical
2838 presence and by the testator’s express direction; and

2839 “(ii) In the physical or electronic presence of the testator by at least
2840 2 credible witnesses, each of whom is physically located in the United States at the time of
2841 signing.

2842 “(2) In order for the electronic will to be admitted to the Probate Court, the
2843 testator, a witness to the will, or an attorney admitted to practice in the District of Columbia who
2844 supervised the execution of the electronic will shall certify a paper copy of the electronic will by
2845 affirming under penalty of perjury that:

2846 “(A) The paper copy of the electronic will is a complete, true, and accurate
2847 copy of the electronic will; and

2848 “(B) The conditions in paragraph (1) of this subsection were satisfied at
2849 the time the electronic will was signed.

2850 “(3) Except as provided in subsection (c) of this section, a certified paper copy of
2851 an electronic will shall be deemed to be the electronic will of the testator for all purposes under
2852 this title.

2853 “(c)(1) An electronic will may revoke all or part of a previous will or electronic will.

2854 “(2) An electronic will, or a part thereof, is revoked by:

2855 “(A) A subsequent will or electronic will that revokes the electronic will,
2856 or a part thereof, expressly or by inconsistency; or

2857 “(B) A direct physical act cancelling the electronic will, or a part thereof,
2858 with the intention of revoking it, by the testator or a person in the testator’s physical presence
2859 and by the testator’s express direction and consent.

2860 “(3) After it is revoked, an electronic will, or a part thereof, may not be revived
2861 other than by its re-execution, or by a codicil executed as provided in the case of wills or
2862 electronic wills, and then only to the extent to which an intention to revive is shown in the
2863 codicil.

2864 “(d) An electronic will not in compliance with subsection (b)(1) of this section is valid if
2865 executed in compliance with the law of the jurisdiction where the testator is:

2866 “(1) Physically located when the electronic will is signed; or

2867 “(2) Domiciled or resides when the electronic will is signed or when the testator
2868 dies.

2869 “(e) Except as otherwise provided in this section:

2870 “(1) An electronic will is a will for all purposes under the laws of the District of
2871 Columbia; and

2872 “(2) The laws of the District of Columbia applicable to wills and principles of
2873 equity apply to an electronic will.

2874 “(f) This section shall apply to electronic wills made during a period of time for which
2875 the Mayor has declared a public health emergency pursuant to § 7-2304.01.”.

2876

2877 Sec. 812. Administrative hearings deadlines.

2878 Notwithstanding any provision of District law, but subject to applicable federal laws and
2879 regulations, during a period time for which the Mayor has declared a public health emergency
2880 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
2881 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the 90-day time period to
2882 request a hearing shall be tolled:

2883 (1) To review an adverse action by the Mayor concerning any new application for
2884 public assistance or any application or request for a change in the amount, kind or conditions of
2885 public assistance, or a decision by the Mayor to terminate, reduce, or change the amount, kind, or
2886 conditions of public assistance benefits or to take other action adverse to the recipient pursuant to
2887 section 1009 of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982
2888 (D.C. Law 4-101; D.C. Official Code § 4-210.09); or

2889 (2) To appeal an adverse decision listed in section 26(b) of the Homeless Services
2890 Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-
2891 754.41(b)).

2892 Sec. 813. Other boards and commissions.

2893 Notwithstanding any provision of law, during a period time for which the Mayor has
2894 declared a public health emergency pursuant to section 5a of the District of Columbia Public
2895 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
2896 2304.01), any requirement for a board, commission, or other public body to meet is waived,

2897 unless the Mayor determines that it is necessary or appropriate for the board, commission, or
2898 other public body to meet during the period of the public health emergency, in which case the
2899 Mayor may order the board, commission, or other public body to meet;

2900 Sec. 814. Living will declaration.

2901 The Natural Death Act of 1981, effective February 25, 1982 (D.C. Law 4-69; D.C. Official
2902 Code § 7-621 *et seq.*), is amended as follows:

2903 (a) Section 2 (D.C. Official Code § 7-621) is amended as follows:

2904 (1) A new paragraph (2B) is added to read as follows:

2905 “(2B) “Electronic presence” means when one or more witnesses are in a different
2906 physical location than the declarant but can observe and communicate with the declarant and one
2907 another by using technology having electrical, digital, magnetic, wireless, optical, electromagnetic,
2908 or similar capabilities to the same extent as if the witnesses and declarant were physically present
2909 with one another.

2910 (2) A new paragraph (5A) is added to read as follows:

2911 “(5A) “Sign” means with present intent to authenticate or adopt a record to:

2912 “(A) Execute or adopt a tangible symbol; or

2913 “(B) Affix to or associate with the record an electronic signature.”.

2914 (b) Section 3 (D.C. Official Code § 7-622) is amended as follows:

2915 (1) Subsection (a)(4) is amended by striking the phrase “Signed in the presence”
2916 and inserting the phrase “Signed in the presence or, during a period of time for which the Mayor

2917 has declared a public health emergency pursuant to section 5a of the District of Columbia Public
2918 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
2919 2304.01), the electronic presence” in its place.

2920 (2) A new subsection (d) is added to read as follows:

2921 “(d) During a period of time for which the Mayor has declared a public health emergency
2922 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October
2923 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), any signature required by this act
2924 may be an electronic signature.”.

2925 (c) Section 5(a)(3) (D.C. Official Code § 7-624(a)(3)) is amended by striking the phrase
2926 “in the presence of a witness” and inserting the phrase “in the presence or, during a period of time
2927 for which the Mayor has declared a public health emergency pursuant to section 5a of the District
2928 of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C.
2929 Official Code § 7-2304.01), electronic presence of a witness” in its place.

2930 Sec. 815. ~~Reserved. Retirement Board Executive Director appointment.~~

2931 ~~Section 121(g)(2) of the District of Columbia Retirement Reform Act, approved~~
2932 ~~November 17, 1979 (93 Stat. 866; D.C. Official Code § 1-711(g)(2)), is amended as follows:~~

2933 ~~(a) Subparagraph (C) is amended to read as follows:~~

2934 ~~“(C)(i) The Executive Director, who shall be appointed to manage the day-~~
2935 ~~to-day operations of the Board, shall be a District resident throughout his or her term and failure~~
2936 ~~to maintain District residency shall result in a forfeiture of the position.~~

2937 ~~—————“(ii) Notwithstanding subparagraph (i) and any other provision of~~
2938 ~~law, the Executive Director may be a non-resident of the District, provided, the board approves~~
2939 ~~non-residency by a two-thirds vote and submits a proposed resolution to the Council of the~~
2940 ~~District of Columbia to approve the non-residency appointment. Such resolution shall be~~
2941 ~~deemed approved on the 31st calendar day following receipt by the Council unless the Council~~
2942 ~~disapproves the resolution, in which case subparagraph (i) shall apply.~~

2943 ~~—————(b) A new subparagraph (D) is added to read as follows:~~

2944 ~~—————“(D) Notwithstanding any provision of law, the annual salary of the~~
2945 ~~Executive Director shall be fixed by the Board as it deems necessary at a rate for each not to~~
2946 ~~exceed 135% of the highest step of Grade E5 of the Executive Service.——~~

2947 Sec. 816. WMATA Board of Directors appointment.

2948 Section 2 of the Washington Metropolitan Area Transit Authority Board of Directors Act
2949 of 2012, effective April 27, 2013 (D.C. Law 19-286; D.C. Official Code § 9-1108.11), is
2950 amended by repealing paragraph (a)(4).

2951 **TITLE IX. LEGISLATIVE BRANCH**

2952 Sec. 901. Council detailee appointment clarification.

2953 Title 27 of the District of Columbia Government Comprehensive Merit Personnel Act of
2954 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-627.01 *et seq.*), is
2955 amended by adding a new section 2707 to read as follows:

2956 “Section 2707. Definitions.

2957 “For the purposes of this title, the term:

2958 “(1) “Agency” includes the Council.

2959 “(2) “Appropriate officials” includes:

2960 “(A) For an assignment for which the Council is the receiving agency, the
2961 personnel authority to whom the employee will be assigned in consultation with the Chairman of
2962 the Council.

2963 “(B) For an assignment for which the Council is the sending agency, the
2964 personnel authority to whom the employee is currently assigned.”

2965 Sec. 902. Grant budget modifications.

2966 For purposes of section 446B(b)(1)(B) of the District of Columbia Home Rule Act,
2967 approved October 16, 2006 (120 Stat. 2040; D.C. Official Code § 1-204.46b(b)(1)(B)), the
2968 Council shall be deemed to have reviewed and approved the acceptance, obligation, and
2969 expenditure of a grant, all or a portion of which is accepted, obligated, and expended, if:

2970 (1) No written notice of disapproval is filed with the Secretary to the Council
2971 within 2 business days of the receipt of the report from the Chief Financial Officer under section
2972 446B(b)(1)(A) of the District of Columbia Home Rule Act, approved October 16, 2006 (120
2973 Stat. 2040; D.C. Official Code § 1-204.46b(b)(1)(A)); or

2974 (2) Such a notice of disapproval is filed within such deadline, the Council does
2975 not by resolution disapprove the acceptance, obligation, or expenditure of the grant within 5
2976 calendar days of the initial receipt of the report from the Chief Financial Officer under section

2977 446B(b)(1)(A) of the District of Columbia Home Rule Act, approved October 16, 2006 (120
2978 Stat. 2040; D.C. Official Code § 1-204.46b(b)(1)(A)).

2979 Sec. 903. Budget submission requirements.

2980 The Fiscal Year 2022 Budget Submission Requirements Resolution of 2020, effective
2981 December 1, 2020 (Res. 23-610; 67 DCR 14617), is amended as follows:

2982 (a) Section 2 is amended by striking the phrase “not later than March 31, 2021,” and
2983 inserting the phrase “not later than April 22, 2021, unless another date is set by subsequent
2984 resolution of the Council” in its place.

2985 (b) Section 3(2)(C) is amended by striking the phrase “produced from PeopleSoft on
2986 March 31, 2021” and inserting the phrase “produced from PeopleSoft on April 22, 2021” in its
2987 place.

2988 Sec. 904. Reserved.

2989 Sec. 905. Advisory Neighborhood Commissions.

2990 The Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C.
2991 Law 1-58; D.C. Official Code § 1-309.01 *et seq.*), is amended as follows:

2992 (a) Section 6(b) (D.C. Official Code § 1-309.05(b)) is amended as follows:

2993 ~~————— (1) Paragraph (1) is amended by striking the phrase “Candidates for” and inserting~~
2994 ~~the phrase “Except as provided in paragraph (3) of this subsection, candidates for” in its place.~~

2995 ~~————— (2) A new paragraph (3) is added to read as follows:~~

2996 ~~————— “(3) For the November 3, 2020, general election:~~

2997 ~~“(A) Candidates for member of an Advisory Neighborhood Commission~~
2998 ~~shall be nominated by a petition signed by not fewer than 10 registered qualified electors who are~~
2999 ~~residents of the single member district from which the candidate seeks election;~~

3000 ~~“(B) The petitions of a candidate in subparagraph (A) of this paragraph~~
3001 ~~may be electronically:~~

3002 ~~_____“(i) Made available by the candidate to a qualified petition~~
3003 ~~circulator; and~~

3004 ~~_____“(ii) Returned by a qualified petition circulator to the candidate;~~
3005 ~~and~~

3006 ~~_____“(C) Signatures on a candidate’s petitions shall not be invalidated because~~
3007 ~~the signer was also the circulator of the same petition on which the signature appears.”by adding~~
3008 ~~a new paragraph (3) to read as follows:~~

3009 ~~“(3) During a period of time for which a public health emergency has been~~
3010 ~~declared by the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act~~
3011 ~~of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01):~~

3012 ~~“(A) Petition sheets circulated in support of a candidate shall be filed with~~
3013 ~~the Board in hard copy but may be electronically provided by the:~~

3014 ~~“(i) Board to the candidate;~~

3015 ~~“(ii) Candidate to qualified petition circulators; and~~

3016 ~~“(iii) Qualified petition circulator to the candidate;~~

3017 “(B) Signatures on such petition sheets shall not be invalidated because
3018 the signer was also the circulator of the same petition on which the signature appears; and

3019 “(C) If the election is for member of an Advisory Neighborhood
3020 Commission representing the single-member district containing the Central Detention Facility
3021 and Correctional Treatment Facility:

3022 “(i) The Board shall develop, and the Department of Corrections
3023 shall distribute, lay-friendly educational materials for individuals in the Department of
3024 Corrections’ care and custody about how to register to vote, residency requirements to run for
3025 Advisory Neighborhood Commissioner, how to vote, and the functions of an Advisory
3026 Neighborhood Commission; and

3027 “(ii) The Department of Corrections shall facilitate the
3028 transmission of the petition sheets to any candidates who are in the care and custody of the
3029 Department of Corrections and from the candidates to the Board, as well as the petition
3030 circulation among the qualified registered electors in its care and custody.”.

3031 (b) Section 8(d)(6)(E) (D.C. Official Code § 1-309.06(d)(6)(E)) is amended as follows:

3032 (1) ~~Paragraph (1) is amended by striking the phrase “prior to a general election”~~
3033 ~~both times it appears and inserting the phrase “prior to a general election or during a period of~~
3034 ~~time for which a public health emergency has been declared by the Mayor pursuant to section 5a~~
3035 ~~of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.~~

3036 ~~Law 14-194; D.C. Official Code § 7-2304.01),” in its place. The existing text is designated as~~
3037 ~~sub-subparagraph (i).~~

3038 (2) ~~Paragraph (6) is amended as follows:~~

3039 (A) ~~Subparagraph (A) is amended by striking the phrase “and legal~~
3040 ~~holidays” and inserting the phrase “legal holidays, and days during a period of time for which a~~
3041 ~~public health emergency has been declared by the Mayor pursuant to section 5a of the District of~~
3042 ~~Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C.~~
3043 ~~Official Code § 7-2304.01)” in its place.~~

3044 (B) ~~Subparagraph (C) is amended by striking the phrase “petitions~~
3045 ~~available,” and inserting the phrase “petitions available, not including days during a period of~~
3046 ~~time for which a public health emergency has been declared by the Mayor pursuant to section 5a~~
3047 ~~of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.~~
3048 ~~Law 14-194; D.C. Official Code § 7-2304.01),” in its place.~~

3049 (C) ~~Subparagraph (E) is amended by striking the phrase “or special~~
3050 ~~meeting” and inserting the phrase “or special meeting, not to include a remote meeting held~~
3051 ~~during a period of time for which a public health emergency has been declared by the Mayor~~
3052 ~~pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective~~
3053 ~~October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01),” in its place. A new sub-~~
3054 ~~subparagraph (ii) is added to read as follows:~~

ENGROSSED ORIGINAL

3055 “(ii) Notwithstanding sub-subparagraph (i) of this subparagraph,
3056 during a period of time for which a public health emergency has been declared by the Mayor
3057 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
3058 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01):

3059 “(I) If the Board transmits a list of qualified candidates
3060 containing more than one name, the affected Advisory Neighborhood Commission shall give
3061 notice at a public meeting of a time and location, to be determined in consultation with the Board
3062 and the OANC, at which the qualified registered electors of the affected single-member district
3063 shall vote to elect a Commissioner. At the location selected, the Board, in consultation with the
3064 affected Advisory Neighborhood Commission and OANC, shall make in-person voting available
3065 to qualified registered electors during at least a 4-hour time period. To vote, all qualified
3066 registered electors shall display their voter identification card or, alternatively, be listed as a
3067 voter in the affected single-member district on the Board’s voter registration list. Ballot counting
3068 shall be facilitated by at least 2 representatives of the Board, and the results shall be read aloud at
3069 the conclusion of the selected time period by the Chairman of the Advisory Neighborhood
3070 Commission, by such Commissioner as the Chairperson shall designate, or by a representative of
3071 the Board or OANC. In the event that the Chairperson is vacant, the results shall be read aloud
3072 by the Commissioner presiding over the meeting or by a representative of the Board or OANC;
3073 and

3074 “(II) Notwithstanding sub-sub-subparagraph (I) of this sub-
3075 subparagraph, if the affected single-member district contains the Central Detention Facility and
3076 Correctional Treatment Facility:

3077 “(A) The Board, in consultation with the affected
3078 Advisory Neighborhood Commission and OANC, shall make in-person voting available to
3079 qualified registered electors within the single-member district who are not in the care and
3080 custody of the Department of Corrections; and

3081 “(B) The Department of Corrections, in consultation
3082 with the affected Advisory Neighborhood Commission, the Board, and OANC, shall make
3083 voting available to qualified registered electors in its care and custody, including by distributing
3084 ballots to qualified registered electors listed as voters in the affected single-member district on
3085 the voter registration list provided by the Board, collecting the ballots, and transmitting the
3086 ballots to the Board for counting and transmission of the results to OANC and the affected
3087 Advisory Neighborhood Commission.”.

3088 (c) Section 13 (D.C. Official Code § 1-309.10) is amended by adding a new subsection
3089 (q) to read as follows:

3090 “(q) During a period of time for which a public health emergency has been declared by
3091 the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
3092 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01):

3093 “(1) The 30-day written notice requirement set forth in subsection (b) of this
3094 section shall be a 51-day written notice requirement; and

3095 “(2) The 45-calendar-day notice requirement set forth in subsection (c)(2)(A) of
3096 this section shall be a 66-calendar-day notice requirement.”.

3097 (d) Section 14(b) (D.C. Official Code § 1-309.11(b)), is amended as follows:

3098 (1) Paragraph (1) is amended by striking the phrase “by the Commission.” and
3099 inserting the phrase “by the Commission; provided, that no meetings shall be required to be held
3100 in-person during a period for which a public health emergency has been declared by the Mayor
3101 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
3102 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and the number of
3103 meetings required to be held in a given year shall be reduced by one for every 30 days that a
3104 public health emergency is in effect during the year.” in its place.

3105 (2) A new paragraph (1B) is added to read as follows:

3106 “(1B) Notwithstanding any other provision of law, during a period for which a
3107 public health emergency has been declared by the Mayor pursuant to section 5a of the District of
3108 Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C.
3109 Official Code § 7-2304.01), an Advisory Neighborhood Commissioner may call a meeting and
3110 remotely participate in that meeting and vote on matters before the Commission without being
3111 physically present through a teleconference or through digital means identified by the

3112 Commission for this purpose. Members physically or remotely present shall be counted for
3113 determination of a quorum.”.

3114 (e) Section 16 (D.C. Official Code § 1-309.13) is amended as follows:

3115 (1) Subsection (j)(3) is amended by adding a new subparagraph (C) to read as
3116 follows:

3117 “(C) Subparagraph (A)(i) of this paragraph shall not apply to the failure to
3118 file quarterly reports due during a period of time for which a public health emergency has been
3119 declared by the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act
3120 of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).”.

3121 (2) Subsection (m)(1) is amended by striking the phrase “District government”
3122 and inserting the phrase “District government; except, that notwithstanding any provision of
3123 District law, during a period for which a public health emergency has been declared by the
3124 Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
3125 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), a Commission
3126 may approve grants to organizations for the purpose of providing humanitarian relief, including
3127 food or supplies, during the public health emergency, or otherwise assisting in the response to
3128 the public health emergency anywhere in the District, even if those services are duplicative of
3129 services also performed by the District government” in its place.

3130 **TITLE X. REPEALS; APPLICABILITY; FISCAL IMPACT STATEMENT;**

3131 **EFFECTIVE DATE**

3132 Sec. 1001. Repeals.

3133 (a) The COVID-19 Response Supplemental Temporary Amendment Act of 2020, enacted
3134 on May 21, 2020 (D.C. Act 23-323; 67 DCR 6601), is repealed.

3135 (b) Title III of the Protecting Businesses and Workers from COVID-19 Temporary
3136 Amendment Act of 2020, effective December 23, 2020 (D.C. Law 23-168; 68 DCR 742) is
3137 repealed.

3138 (c) The Coronavirus Support Temporary Amendment Act of 2020, effective October 9,
3139 2020 (D.C. Law 23-130; 67 DCR 8622), is repealed.

3140 (g) The Coronavirus Public Health Extension Temporary Amendment Act of 2020,
3141 enacted December 25, 2020 (D.C. Act 23-614, 68 DCR XXXX), is repealed.
3142 Act 23-614

3143 Sec. 1002. Applicability.

3144 Titles I through IX of this act shall apply as of March 12, 2021.

3145 Sec. 1003. Fiscal impact statement.

3146 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
3147 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
3148 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

3149 Sec. 1004. Effective date.

3150 (a) This act shall take effect following approval by the Mayor (or in the event of veto by
3151 the Mayor, action by the Council to override the veto), a 30-day period of congressional review

ENGROSSED ORIGINAL

3152 as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
3153 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
3154 Columbia Register.

3155 (b) This act shall expire after 225 days of its having taken effect.