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A BILL

23-734

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA



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

TABLE OF CONTENTS
(for Part B)

TITLE I. LABOR, WORKFORCE DEVELOPMENT, AND EDUCATION41

 Sec. 101. Unemployment insurance clarification..... 41

 Sec. 102. District work-share program expansion 45

 Sec. 103. Declaration of emergency sick leave..... 46

 Sec. 104. Emergency leave enforcement. 51

 Sec. 105. UDC fundraising match..... 51

 Sec. 106. Graduation requirements. 52

TITLE II. BUSINESS DEVELOPMENT AND CONSUMER PROTECTION52

 Sec. 201. Enhanced penalties for unlawful trade practices 52

 Sec. 202. Mortgage relief 53

 Sec. 203. Tenant protections 57

 Sec. 204. Utilities 61

 Sec. 205. Certified Business Enterprise assistance. 63

32 Sec. 206. Funeral services consumer protection 66

33 Sec. 207. Debt collection..... 69

34 Sec. 208. Carry out and delivery 72

35 Sec. 209. Opportunity accounts expanded use 74

36 Sec. 210. Contractor advance payment. 77

37 Sec. 211. Vacant property designations 78

38 Sec. 212. Franchise tax exclusion. 78

39 **TITLE III. JUDICIARY AND PUBLIC SAFETY 79**

40 Sec. 301. Police Complaints Board investigation extension..... 79

41 Sec. 302. FEMS reassignments 79

42 Sec. 303. Civil rights enforcement 80

43 Sec. 304. Extension of time for non-custodial arrestees to report..... 81

44 Sec. 305. Good time credits and compassionate release. 81

45 Sec. 306. Electronic wills..... 86

46 **TITLE IV. HEALTH AND HUMAN SERVICES..... 90**

47 Sec. 401. Public health emergency..... 90

48 Sec. 402. Extension of care and custody for aged-out youth. 92

49 Sec. 403. Hospital support funding. 93

50 **TITLE V. GOVERNMENT DIRECTION AND SUPPORT 95**

51 Sec. 501. Tolling of matters transmitted to the Council..... 95

52 Sec. 502. Council Code of Conduct 97

53 Sec. 503. Advisory neighborhood commissions 98

54 Sec. 504. Disclosure extension; campaign finance training; and disbursement extension 100

55 Sec. 505. Election preparations 102

56 Sec. 506. Absentee ballot request signature waiver 103

57 Sec. 507. Board of Elections stipends. 104

58 Sec. 508. Administrative hearings deadline tolling..... 104

59 Sec. 509. Approval of Mayoral nominations. 105

60 **TITLE VI. BORROWING AUTHORITY.....108**

61 **TITLE VI. BORROWING AUTHORITY.....108**

62 **SUBTITLE A. GENERAL OBLIGATION NOTES 109**

63 Sec. 602. Definitions. 109

64 Sec. 604. Note authorization. 112

65 Sec. 605. Note details. 112

66 Sec. 606. Sale of the notes..... 114

67 Sec. 607. Payment and security..... 116

68 Sec. 608. Defeasance..... 121

69 Sec. 609. Additional debt and other obligations. 122

70 Sec. 610. Tax matters. 123

71 Sec. 611. Contract. 124

72 Sec. 612. District officials. 124

73 Sec. 613. Authorized delegation of authority..... 124

74 Sec. 614. Maintenance of documents..... 124

75 **SUBTITLE B. TRANS NOTES..... 125**

76 Sec. 622. Definitions. 125

77 Sec. 623. Findings. 127

78 Sec. 624. Note authorization. 128

79 Sec. 625. Note details. 129

80 Sec. 626. Sale of the notes..... 131

81 Sec. 627. Payment and security..... 133

82 Sec. 628. Defeasance..... 140

83 Sec. 629. Additional debt and other obligations. 141

84 Sec. 630. Tax matters. 143

85 Sec. 631. Contract. 143

86 Sec. 632. District officials..... 143

87 Sec. 633. Authorized delegation of authority..... 143

88 Sec. 634. Maintenance of documents..... 144

89 **TITLE VII. REVENUE BONDS.....144**

90 **SUBTITLE A. STUDIO THEATER, INC..... 144**

91 Sec. 702. Definitions..... 144

92 Sec. 703. Findings..... 148

93 Sec. 704. Bond authorization..... 149

94 Sec. 705. Bond details..... 150

95 Sec. 706. Sale of the Bonds..... 152

96 Sec. 707. Payment and security..... 153

97 Sec. 708. Financing and Closing Documents..... 154

98 Sec. 709. Authorized delegation of authority..... 155

99 Sec. 710. Limited liability..... 155

100 Sec. 711. District officials..... 157

101 Sec.712. Maintenance of documents..... 157

102 Sec.713. Information reporting..... 157

103 Sec. 714. Disclaimer..... 158

104 Sec. 715. Expiration..... 158

105 Sec. 716. Severability..... 159

106 **SUBTITLE B. DC SCHOLARS PUBLIC CHARTER SCHOOL, INC..... 159**

107 Sec. 722. Definitions..... 159

108 Sec. 723. Findings..... 162

109 Sec. 724. Bond authorization..... 163

110 Sec. 725. Bond details..... 164

111 Sec. 726. Sale of the Bonds..... 167

112 Sec. 727. Payment and security..... 168

113 Sec. 728. Financing and Closing Documents..... 168

114 Sec. 729. Authorized delegation of authority..... 169

115 Sec. 730. Limited liability. 170

116 Sec. 731. District officials. 171

117 Sec. 732. Maintenance of documents..... 172

118 Sec. 733. Information reporting. 172

119 Sec. 734. Disclaimer..... 172

120 Sec. 735. Expiration. 173

121 Sec. 736. Severability..... 173

122 **SUBTITLE C. WASHINGTON HOUSING CONSERVANCY.** 174

123 Sec. 742. Definitions. 174

124 Sec. 743. Findings. 177

125 Sec. 744. Bond authorization. 179

126 Sec. 745. Bond details. 179

127 Sec. 746. Sale of the Bonds..... 182

128 Sec. 747. Payment and security..... 183

129 Sec. 748. Financing and Closing Documents..... 184

130 Sec. 749. Authorized delegation of authority..... 185

131 Sec. 750. Limited liability. 185

132 Sec. 751. District officials. 186

133 Sec. 752. Maintenance of documents..... 187

134 Sec. 753. Information reporting. 187

135 Sec. 754. Disclaimer..... 187

136 Sec. 755. Expiration. 188

137 Sec. 756. Severability..... 188

138 **SUBTITLE D. NATIONAL PUBLIC RADIO, INC.**..... 189

139 **Sec. 762. Definitions.....189**

140 Sec. 763. Findings. 192
141 Sec. 764. Bond authorization. 193
142 Sec. 765. Bond details. 194
143 Sec. 766. Sale of the Bonds. 197
144 Sec. 767. Payment and security. 198
145 Sec. 768. Financing and Closing Documents. 198
146 Sec. 769. Authorized delegation of authority. 200
147 Sec. 770. Limited liability. 200
148 Sec. 771. District officials. 201
149 Sec. 772. Maintenance of documents. 202
150 Sec. 773. Information reporting. 202
151 Sec. 774. Disclaimer. 202
152 Sec. 775. Expiration. 203
153 Sec. 776. Severability. 203
154 **SUBTITLE E. PUBLIC WELFARE FOUNDATION, INC.** 204
155 Sec. 782. Definitions. 204
156 Sec. 783. Findings. 207
157 Sec. 784. Bond authorization. 208
158 Sec. 785. Bond details. 209
159 Sec. 786. Sale of the Bonds. 211
160 Sec. 787. Payment and security. 212
161 Sec. 788. Financing and Closing Documents. 213
162 Sec. 789. Authorized delegation of authority. 214
163 Sec. 790. Limited liability. 214
164 Sec. 791. District officials. 216
165 Sec. 792. Maintenance of documents. 216
166 Sec. 793. Information reporting. 216

167 Sec. 794. Disclaimer..... 217
168 Sec. 795. Expiration. 218
169 Sec. 796. Severability..... 218
170 **TITLE VIII. APPLICABILITY; FISCAL IMPACT STATEMENT; EFFECTIVE DATE..218**
171 Sec. 801. Applicability 218
172 Sec. 802. Fiscal impact statement 219
173 Sec. 803. Effective date..... 219
174

175 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
176 act may be cited as the “COVID-19 Response Supplemental Temporary Amendment Act of
177 2020”.

178 **PART A**

179 **TITLE I. LABOR AND WORKFORCE PROTECTIONS**

180 Sec. 101. Wage replacement.
181 (a) Notwithstanding any provision of District law, but subject to applicable federal laws
182 and regulations, during a period of time for which the Mayor has declared a public health
183 emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
184 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), an affected
185 employee shall be eligible for unemployment insurance in accordance with subsection (b) of this
186 section.

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

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

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

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

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

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

203 (d) For the purposes of this section, the term “affected employee” means an employee
204 who, except as provided in subsection (g) of this section, is otherwise eligible for UI pursuant to
205 section 9 of the District of Columbia Unemployment Compensation Act, approved August 28,

206 1935 (49 Stat. 950; D.C. Code § 51-109), and who is determined by the Mayor to have become
207 unemployed or partially unemployed as a result of the circumstances giving rise to the public
208 health emergency. The term “affected employee” includes an employee who has been
209 quarantined or isolated by the Department of Health or any other applicable District or federal
210 agency; an employee who has self-quarantined or self-isolated in a manner consistent with the
211 recommendations or guidance of the Department of Health, any other applicable District or
212 federal agency, or a medical professional; or an employee of an employer that ceased or reduced
213 operations due to an order or guidance from the Mayor or the Department of Health or a
214 reduction in business revenue resulting from the circumstances giving rise to the public health
215 emergency, as determined by the Mayor, all as demonstrated by reasonable documentation
216 required by the Mayor or the Mayor’s designee.

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

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

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

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

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

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

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

241 Sec. 102. Employment protections.

242 The District of Columbia Family and Medical Leave Act of 1990, effective October 3,
243 1990 (D.C. Law 8-181; D.C. Official Code § 32-501 *et seq.*), is amended as follows:

244 (a) Section 2(1) (D.C. Official Code § 32-501(1)) is amended by striking the phrase
245 “medical leave” and inserting the phrase “medical leave, except that during a period of time for
246 which a public health emergency has been declared by the Mayor pursuant to section 5a of the
247 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 3-
248 149; D.C. Official Code § 7-2304.01), the one-year employment requirement and 1,000-hour
249 work requirement shall not apply to an employee who has been ordered or recommended to
250 quarantine or isolate, by the Department of Health, any other District or federal agency, or a
251 medical professional.

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

254 “Sec. 3a. Declaration-of-emergency leave.

255 “(a) An employee who is unable to work as a result of the circumstances giving rise to
256 the public health emergency during a period of time for which the Mayor has declared a public
257 health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of
258 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), shall be
259 entitled to declaration-of-emergency (“DOE”) leave during such period.

260 “(b) For DOE leave, a recommendation from the Mayor, Department of Health, any other
261 District or federal agency, or a medical professional that the employee self-quarantine or self-
262 isolate shall serve as certification of the need for such leave, and, in the case of a government-

263 mandated quarantine or isolation, the declaration of public health emergency shall serve as
264 certification of the need for such leave.”.

265 (c) Section 17 (D.C. Official Code § 32-516) is amended by adding a new paragraph (3)
266 to read as follows:

267 “(3) For an employee who is on leave pursuant to section 3a, to any employer
268 regardless of the number of persons in the District that the employer employs.”.

269 **TITLE II. BUSINESS RELIEF.**

270 Sec. 201. Delayed hotel property and general sales tax remittances.

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

272 (a) Section 811(b) (D.C. Official Code § 47-811(b)) is amended by striking the phrase
273 “tax year beginning July 1, 1989, and ending June 30, 1990, the amount of the first and second
274 installments shall reflect and be consistent with the tax rates applicable to that tax year, as
275 provided in § 47-812(b) and (c)” and inserting the phrase “tax year 2020 first installment owing
276 for a real property that is commercially improved and occupied and is a hotel or motel; provided,
277 that the Chief Financial Officer, through the Office of Tax and Revenue, shall issue
278 administrative guidance on the definition of a hotel or motel, the Chief Financial Officer may
279 waive any penalties and abate interest if the owner pays such installment by June 30, 2020” in its
280 place.

281 (b) Section 4221 (D.C. Official Code § 47-4221) is amended by adding a new subsection

282 (d) to read as follows:

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

288 “(2) This subsection shall not apply to hotels or motels permitted to defer real
289 property tax under D.C. Official Code § 47-811(b).”.

290 Sec. 202. Public health emergency small business grant program.

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

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

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

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

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

299 “(a)(1) Upon the Mayor’s declaration of a public health emergency pursuant to section 5a
300 of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
301 Law 14-194; D.C. Official Code § 7-2304.01), the Mayor may, notwithstanding the Grant
302 Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code
303 § 1-328.11 et seq.), and in the Mayor’s sole discretion, issue a grant or loan to an eligible small
304 business; provided, that the eligible small business:

305 “(A) Submits a grant application in the form and with the information
306 required by the Mayor; and

307 “(B) Demonstrates, to the satisfaction of the Mayor, financial distress
308 caused by a reduction in business revenue due to the circumstances giving rise to or resulting
309 from the public health emergency.

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

312 “(A) Employee wages and benefits. For the purposes of this subparagraph,
313 “benefits” means fringe benefits associated with employment, including health insurance;

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

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

318 “(b) For the purposes of this section, the term “eligible small business” means a business
319 enterprise eligible for certification under section 2332, a nonprofit entity, or an independent
320 contractor or self-employed individual determined ineligible for Unemployment Insurance by the
321 Director of the Department of Employment Services.

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

325 “(d) The Mayor, pursuant to section 105 of the District of Columbia Administrative
326 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-505), may
327 issue emergency rules to implement the provisions of this section.

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

333 “(f) For the purposes of this section, the term “COVID-19 emergency” means the
334 emergencies declared in the Declaration of Public Emergency (Mayor’s Order 2020-045)
335 together with the Declaration of Public Health Emergency (Mayor’s Order 2020-46), declared on
336 March 11, 2020, including any extension of those declared emergencies.”.

337 Sec. 203. Corporate filing extension.

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

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

343 **TITLE III. PUBLIC HEALTH, SAFETY, AND CONSUMER PROTECTION.**

344 Sec. 301. The District of Columbia Public Emergency Act of 1980, effective March 5,
345 1981 (D.C. Law 3-149; D.C. Official Code § 7-2301 *et seq.*), is amended as follows:

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

347 (1) Paragraph (2) is amended by striking the phrase “District of Columbia
348 government;” and inserting the phrase “District of Columbia government; provided further, that
349 a summary of each emergency procurement entered into during a period for which a public
350 health emergency is declared shall be provided to the Council no later than 7 days after the
351 contract is awarded. Such summary shall include a description of the goods or services procured;
352 the source selection method; the award amount; and the name of the awardee.”.

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

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

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

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

361 “(16) Notwithstanding any provision of the District of Columbia Government
362 Comprehensive Merit Personnel Act of 1978 (D.C. Law 2-139, D.C. Official Code § 1-601.01 *et*
363 *seq.*) (“CMPA”) or the rules issued pursuant to the CMPA, the Jobs for D.C. Residents
364 Amendment Act of 2007, effective February 6, 2008 (D.C. Law 17-108, D.C. Official Code § 1-
365 515.01 *et seq.*), or any other personnel law or rules, the Mayor may take the following personnel
366 actions regarding executive branch subordinate agencies that the Mayor determines necessary
367 and appropriate to address the emergency:

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

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

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

371 “(D) Mandating telework;

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

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

375 “(G) Assigning additional duties to employees;

376 “(H) Extending existing terms of employees;

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

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

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

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

382 _____

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

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

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

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

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

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

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

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

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

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

402 Sec. 302. The Department of Insurance and Securities Regulation Establishment Act of
403 1996, effective May 21, 1997 (D.C. Law 11-268; D.C. Official Code § 31-101 *et seq.*), is
404 amended by adding a new section 5a to read as follows:

405 “Sec. 5a. Emergency authority of the Commissioner during a declared public health
406 emergency.

407 “(a) For the duration of a public health emergency declared by the Mayor pursuant to
408 section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002
409 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and to address the circumstances giving rise

410 to that emergency, the Commissioner may issue emergency rulemakings, orders, or bulletins

411 that:

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

413 “(2) Address:

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

415 “(B) Grace periods for payment of premiums and performance of other

416 duties by insureds;

417 “(C) Temporary postponement of:

418 “(i) Cancellations;

419 “(ii) Nonrenewals; or

420 “(iii) Premium increases;

421 “(D) Modifications to insurance policies;

422 “(E) Insurer operations;

423 “(F) Filing requirements;

424 “(G) Procedures for obtaining nonelective health care services;

425 “(H) Time restrictions for filling or refilling prescription drugs;

426 “(I) Time frames applicable to an action by the Commissioner under this

427 section;

428 “(J) Temporarily waiving application of laws, rulemakings, or
429 requirements to ensure that depository services, non-depository services, and securities
430 transactions can continue to be provided, including allowing for the opening of a temporary
431 service location, which may be a mobile branch, temporary office space, or other facility; and

432 “(K) Any other activity related to insurance, securities, and banking and
433 under the purview of the Commissioner reasonably calculated to protect the health, safety, and
434 welfare of District residents during the public health emergency.

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

437 “(c) Emergency rulemakings, orders, and bulletins.

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

440 “(i) That the rulemaking, order, or bulletin is effective
441 immediately;

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

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

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

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

450

451 Sec. 303. Public benefits extension and continued access.

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

461 Sec. 304. Price gouging and stockpiling.

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

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

465 “28-4102.01. Stockpiling.”.

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

467 “(a) It shall be unlawful for any person to charge more than the normal average retail
468 price for any merchandise or service sold during a public health emergency declared pursuant to
469 section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002
470 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), or during an emergency resulting from a
471 natural disaster declared pursuant to subsection (b) of this section.”.

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

473 “§ 28-4102.01. Stockpiling.

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

478 “(1) Necessary for first responders or others following a natural disaster or a declaration
479 of a public health emergency pursuant to section 5a of the District of Columbia Public
480 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
481 2304.01) (“public health emergency”);

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

484 “(3) Subject to rationing.”.

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

486 (1) Strike the phrase “§ 28-4102(a)” each time it appears and insert the phrase “§
487 28-4102(a) or § 28-4102.01” in its place.

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

489 “(c) When the Office of the Attorney General brings a civil action for any violation of §
490 28-4102(a) or § 28-4102.01 under the authority granted in § 28-3909, the maximum penalty
491 authorized by § 28-3909 shall be assessed for each such violation.”.

492 Sec. 305. Disconnection of electric service.

493 _____ The Retail Electric Competition and Consumer Protection Act of 1999, effective May 9,
494 2000 (D.C. Law 13-107; D.C. Official Code § 34-1501 *et seq.*), is amended by adding a new
495 section 106b to read as follows:

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

497 _____ “(a) For the purposes of this section, the term “public health emergency” means a period
498 of time for which the Mayor has declared a public health emergency pursuant to section 5a of the
499 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
500 194; D.C. Official Code § 7-2304.01).

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

503 Sec. 306. Disconnection of gas service.

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

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

508 “(a) For the purposes of this section, the term “public health emergency” means a period
509 of time for which the Mayor has declared a public health emergency pursuant to section 5a of the
510 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
511 194; D.C. Official Code § 7-2304.01).

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

514 Sec. 307. Disconnection of water service.

515 Section 103 of the District of Columbia Public Works Act of 1954, approved May 18,
516 1954 (68 Stat. 102; D.C. Code § 34-2407.01), is amended by adding a new subsection (c) to read
517 as follows:

518 “(c)(1) For the purposes of this subsection, the term “public health emergency” means a
519 period of time for which the Mayor has declared a public health emergency pursuant to section
520 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
521 Law 14-194; D.C. Official Code § 7-2304.01).

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

525 Sec. 308. Eviction prohibition.

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

531 (b) Section 501(k) of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law
532 6-10; D.C. Official Code § 42-3505.01(k)), is amended as follows:

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

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

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

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

541 Sec. 309. Prescription drugs.

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

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

553 Sec. 310. Extension of licenses and registrations; waiver of deadlines.

554 Notwithstanding any provision of law during, or within 45 days after the end of, a period
555 time for which the Mayor has declared a public health emergency pursuant to section 5a of the
556 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
557 194; D.C. Official Code § 7-2304.01), the Mayor, may:

558 (1) Prospectively or retroactively extend the validity of a license, registration,
559 permit, or authorization, including drivers licenses, vehicle registrations, professional licenses,
560 registrations, and certifications;

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

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

567 Sec. 311. Homeless services.

568 The Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-
569 35; D.C. Official Code § 4-751.01 et seq.), is amended as follows:

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

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

577 (2) Paragraph (2) is amended by striking the phrase “and section 9(a)(20)” and
578 inserting the phrase “and section 9(a)(20); except, that the Mayor may extend an interim
579 eligibility placement to coincide with the period of a public health emergency declared pursuant
580 to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17,
581 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01)” in its place.

582 (3) Paragraph (3) is amended by striking the phrase “within 12 days of the start of
583 the interim eligibility placement” and inserting the phrase “within 12 days of the start of the
584 interim eligibility placement; except, that during a public health emergency declared pursuant to
585 section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002
586 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the Mayor shall have 10 business days
587 following the end of the public health emergency to issue the eligibility determination required
588 by this paragraph” in its place.

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

592 (b) Section 9(a)(14) (D.C. Official Code § 4-754.11(a)(14)) is amended by striking the
593 phrase “and other professionals” and inserting the phrase “and other professionals, except, that
594 the Mayor may waive the requirements of this provision for in-person meetings and
595 communications during a public health emergency declared pursuant to section 5a of the District

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

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

603 (d) Section 19(c-2) (D.C. Official Code § 4-754.33(c-2)) is amended by striking the
604 phrase “served on the client.” and inserting the phrase “served on the client; except, that during a
605 public health emergency declared pursuant to section 5a of the District of Columbia Public
606 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
607 2304.01), the Mayor may serve written notice via electronic transmission.” in its place.

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

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

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

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

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

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

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

622 Section 312. Tenant rights.

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

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

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

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

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

631 “(6) Impose a late fee on a tenant during any month for which a public health
632 emergency has been declared pursuant to section 5a of the District of Columbia Public

633 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
634 2304.01).”

635 Sec. 313. Good time credits.

636 Section 3c(c) of the District of Columbia Good Time Credits Act of 1986, effective May
637 17, 2011 (D.C. Law 18-732; D.C. Official Code § 24-221.01c(c)), is amended by striking the
638 phrase “this section combined” and inserting the phrase “this section combined; except, that
639 during a period for which a public health emergency has been declared pursuant to section 5a of
640 the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law
641 14-194; D.C. Official Code § 7-2304.01), the Department of Corrections shall have discretion to
642 award additional credits beyond the limits described in this subsection to effectuate the
643 immediate release of persons sentenced for misdemeanors, including pursuant to section 3 and
644 this section, consistent with public safety.”.

645 Sec 314. Section 5115(l)(1) of the Not-For-Profit Hospital Corporation Establishment
646 Amendment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code §
647 44-951.04.), is amended as follows:

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

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

651 “(1A) During the period of time for which the Mayor has declared a public health
652 emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
653 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), subsections (a),
654 (b), (c), (d), (e), and (f) of this section shall expire if:

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

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

660 **TITLE IV. EDUCATION**

661 Sec. 401. Section 206 of the Student Promotion Act of 2013, effective February 22, 2014
662 (D.C. Law 20-84; D.C. Official Code § 38-781.05), is amended by adding a new subsection (c)
663 to read as follows:

664 “(c) The Chancellor shall have the authority to waive the requirements of subsection (a)
665 of this section for any student who fails to meet the promotion criteria specified in the DCMR
666 during a school year that includes a period of time for which the Mayor declared a public health
667 emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
668 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).”.

669

670 Sec. 402. Section 104(d)(2) of the District of Columbia Education Research Practice
671 Partnership Establishment and Audit Act of 2018, effective March 28, 2019 (D.C. Law 22-268;
672 D.C. Official Code § 38-785.03(d)(2)), is amended by striking the phrase “timely manner” and
673 inserting the phrase “timely manner; except, that upon the declaration of a public health
674 emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
675 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the meeting of
676 the review panel shall be postponed until 7 business days following the end of the period of time
677 for which the public health emergency was declared” in its place.

678 **TITLE V. PUBLIC BODY MEETINGS**

679 Sec. 501. Advisory Neighborhood Commission Meetings.

680 Section 14(b) of the Advisory Neighborhood Commissions Act of 1975, effective March
681 26, 1976 (D.C. Law 1-58; D.C. Official Code § 1-309.11(b)), is amended as follows:

682 (1) Paragraph (1) is amended by striking the phrase “by the Commission.” and
683 inserting the phrase “by the Commission; provided, that no meetings shall be required to be held
684 during a period for which a public health emergency has been declared by the Mayor pursuant to
685 section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002
686 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and the number of meetings required to be
687 held in a given year shall be reduced by one for every 30 days that a public health emergency is
688 in effect during the year.”.

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

690 “(1B) Notwithstanding any other provision of law, during a period for which a
691 public health emergency has been declared by the Mayor pursuant to section 5a of the District of
692 Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C.
693 Official Code § 7-2304.01), Advisory Neighborhood Commissioners may call a meeting and
694 remotely participate in that meeting and vote on matters before the Commission without being
695 physically present through a teleconference or through digital means identified by the
696 Commission for this purpose. Members physically or remotely present shall be counted for
697 determination of a quorum.”.

698 Sec. 502. Other boards and commissions.

699 Notwithstanding any provision of law, during a period time for which the Mayor has
700 declared a public health emergency pursuant to section 5a of the District of Columbia Public
701 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
702 2304.01):

703 (a) Any requirement for a board, commission, or other public body to meet is waived,
704 unless the Mayor determines that it is necessary or appropriate for the board, commission, or
705 other public body to meet during the period of the public health emergency, in which case the
706 Mayor may order the board, commission, or other public body to meet;

707 (b) Any vacancy that occurs on a board or commission shall not be considered a vacancy
708 for the purposes of nominating a replacement; and

709 (c) The review period for nominations transmitted to the Council for approval or
710 disapproval in accordance with section 2(a) of the Confirmation Act of 1978, effective March 3,
711 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(a)), shall be tolled.

712 Sec. 503. Freedom of Information Act.

713 The Freedom of Information Act of 1976, effective March 29, 1977 (D.C. Law 1-96;
714 D.C. Official Code § 2-531 *et seq.*), is amended as follows:

715 (a) Section 202 (D.C. Official Code § 2-532) is amended as follows:

716 (1) Subsection (c) is amended as follows:

717 (A) Paragraph (1) is amended by striking the phrase “Sundays, and” and
718 inserting the phrase “Sundays, days of a COVID-19 closure, and” in its place

719 (B) Paragraph (2)(A) is amended by striking the phrase “Sundays, and”
720 and inserting the phrase “Sundays, days of a COVID-19 closure, and” in its place

721 (2) Subsection (d)(1) is amended by striking the phrase “Sundays, and” both times
722 it appears and inserting the phrase “Sundays, days of a COVID-19 closure, and” in its place.

723 (b) Section 207(a) (D.C. Official Code § 2-537(a)) is amended by striking the phrase
724 “Sundays, and” and inserting the phrase “Sundays, days of a COVID-19 closure, and” in its
725 place.

726 (c) Section 209 (D.C. Official Code § 2-539) is amended by adding a new subsection (c)
727 to read as follows:

728 “(c) “COVID-19 closure” means:

729 “(1) A period of time for which the Mayor has declared a public health emergency
730 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
731 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01); or

732 “(2) A period of time during which a public body is closed due to the COVID-19
733 coronavirus disease, as determined by the personnel authority of the public body.”.

734 Sec. 504. The Open Meetings Act, effective March 31, 2011 (D.C. Law 18-350; D.C.
735 Official Code § 2-571 et seq.), is amended as follows:

736 (a) Section 405(a) (D.C. Official Code § 2-575(a)) is amended as follows:

737 (1) Paragraph (2) is amended by striking the phrase “; or” and inserting a
738 semicolon in its place.

739 (2) Paragraph (3) is amended by striking the period and inserting the phrase “; or”
740 in its place.

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

742 “(4) During a period for which a public health emergency has been declared
743 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
744 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the public body takes

745 steps reasonably calculated to allow the public to view or hear the meeting while the meeting is
746 taking place, or, if doing so is not technologically feasible, as soon as reasonably practicable
747 thereafter.”.

748 (b) Section 406 (D.C. Official Code § 2-576) is amended by adding a new paragraph (6)
749 to read as follows:

750 “(6) The public posting requirements of paragraph (2)(A) of this section shall not
751 apply during a period for which a public health emergency has been declared pursuant to section
752 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
753 Law 14-194; D.C. Official Code § 7-2304.01).”.

754 (c) Section 407(a)(1) (D.C. Official Code § 2-577(a)(1)) is amended by striking the
755 phrase “attend the meeting;” and inserting the phrase “attend the meeting, or in the case of a
756 meeting held during a period for which a public health emergency has been declared pursuant to
757 section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002
758 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), steps are taken that are reasonably
759 calculated to allow the public to view or hear the meeting while the meeting is taking place, or, if
760 doing so is not technologically feasible, as soon as soon as reasonably practicable thereafter.”.

761 (d) Section 408(b) (D.C. Official Code § 2-578(b)) is amended by adding a new
762 paragraph (3) to read as follows:

763 “(3) The schedule provided in paragraphs (1) and (2) of this subsection shall be
764 tolled during a period for which a public health emergency has been declared pursuant to section
765 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
766 Law 14-194; D.C. Official Code § 7-2304.01).”.

767 **TITLE VI. COUNCIL AUTHORITY**

768 Sec. 601. Budget submission requirements.

769 The Fiscal Year 2021 Budget Submission Requirements Resolution of 2019, effective
770 November 22, 2019 (Res. 23-268; 66 DCR 15372), is amended as follows:

771 (a) Section 2 is amended by striking the phrase “not later than March 19, 2020,” and
772 inserting the phrase “not later than May 6, 2020, unless another date is set by subsequent
773 resolution of the Council” in its place.

774 (b) Section 3(2)(A) is amended by striking the phrase “the proposed Fiscal Year 2021
775 Local Budget Act of 2020,” and inserting the phrase “the proposed Fiscal Year 2021 Local
776 Budget Act of 2020, the proposed Fiscal Year 2021 Local Budget Emergency Act of 2020, the
777 proposed Fiscal Year 2021 Local Budget Temporary Act of 2020,” in its place.

778 Section 602. Virtual meetings.

779 Section 367 of the Rules of Organization and Procedure for the Council of the District of
780 Columbia, Council Period 23, effective January 2, 2019 (Res. 23-1; 66 DCR 272), is amended by

781 striking the phrase “remote voting or proxy shall” and inserting the phrase “proxy shall” in its
782 place.

783 Section 603. Grant budget modifications.

784 (a) The Council approves the acceptance, obligation, and expenditure by the Mayor of the
785 federal, private, and other grants related to the Declaration of Public Emergency (Mayor’s Order
786 2020-045) and the Declaration of Public Health Emergency (Mayor’s Order 2020-046), both
787 declared on March 11, 2020, submitted to the Council for approval and accompanied by a report
788 by the Office of the Chief Financial Officer on or before March 17, 2020 pursuant to section
789 446B(b)(1) of the District of Columbia Home Rule Act, approved October 16, 2006 (120 Stat.
790 2040; D.C. Official Code § 1-204.46b(b)(1)).

791 (b) For purposes of section 446B(b)(1)(B) of the District of Columbia Home Rule Act,
792 approved October 16, 2006 (120 Stat. 2040; D.C. Official Code § 1-204.46b(b)(1)(B)), the
793 Council shall be deemed to have reviewed and approved the acceptance, obligation, and
794 expenditure of a grant related to the Declaration of Public Emergency (Mayor’s Order 2020-045)
795 and the Declaration of Public Health Emergency (Mayor’s Order 2020-46), both declared on
796 March 11, 2020, all or a portion of which is accepted, obligated, and expended for the purpose of
797 addressing a public emergency, if:

798 (1) No written notice of disapproval is filed with the Secretary of the Council
799 within 2 business days of the receipt of the report from the Chief Financial Officer under section

800 446B(b)(1)(A) of the District of Columbia Home Rule Act, approved October 16, 2006 (120

801 Stat. 2040; D.C. Official Code § 1-204.46b(b)(1)(A)); or

802 _____ (2) Such a notice of disapproval is filed within such deadline, the Council does

803 not by resolution disapprove the acceptance, obligation, or expenditure of the grant within 5

804 calendar days of the initial receipt of the report from the Chief Financial Officer under section

805 446B(b)(1)(A) of the District of Columbia Home Rule Act, approved October 16, 2006 (120

806 Stat. 2040; D.C. Official Code § 1-204.46b(b)(1)(A)).

807 **PART B**

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

809 Sec. 101. Unemployment insurance clarification.

810 (a) Section 101 of the COVID-19 Response Emergency Amendment Act of 2020,

811 effective March 17, 2020 (D.C. Act 23-247; 67 DCR 3093), is amended as follows:

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

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

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

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

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

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

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

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

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

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

827 (2) Subsection (d) is amended by striking the phrase “For the purposes of this
828 section, the term “affected employee” means an employee otherwise eligible for UI pursuant to
829 section 9 of the District of Columbia Unemployment Compensation Act, approved August 28,
830 1935 (49 Stat. 950; D.C. Code § 51-109), who is” and inserting the phrase “For the purposes of
831 this section, the term “affected employee” means an employee who, except as provided in
832 subsection (g) of this section, is otherwise eligible for UI pursuant to section 9 of the District of
833 Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 950; D.C.
834 Code § 51-109), and who is” in its place.

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

836 “(g) Notwithstanding any provision of District law, but subject to applicable federal laws
837 and regulations, during a period of time for which the Mayor has declared a public health

838 emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
839 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the
840 requirements of section 9(a)(4)(B) and 9(a)(5) of the District of Columbia Unemployment
841 Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Official Code § 51-
842 109(a)(4)(B) and (5)), shall not apply.”.

843 (b) The District of Columbia Unemployment Compensation Act, effective August 28,
844 1935 (49 Stat. 946; D.C. Official Code § 51-101 *et seq.*) is amended as follows:

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

847 “(A-i) During a period of time for which the Mayor has declared a public
848 health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of
849 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7- 2304.01) and in
850 conformity with federal law, the Director may determine that the term “employment” as defined
851 in paragraph (2)(A) of this section may include individuals who are self-employed, seeking part-
852 time employment, do not have sufficient work history, or otherwise would not qualify for regular
853 unemployment or extended benefits under District or Federal law or pandemic emergency
854 unemployment compensation.”.

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

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

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

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

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

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

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

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

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

874 “(b) During a period of time for which the Mayor has declared a public health emergency
875 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective

876 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7- 2304.01), the Director shall have
877 broad discretion to waive any eligibility requirements set forth in this subchapter other than the
878 physical ability and availability requirement when the Director deems such waiver to be in the
879 public interest.”.

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

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

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

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

888 (1) Subsection (a)(4) is amended by striking the phrase “20% and not more than
889 40%” and inserting the phrase “10% and not more than 60%” in its place.

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

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

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

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

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

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

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

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

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

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

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

910 (3) Paragraph (4) is repealed.

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

912 Sec. 103. Declaration of emergency sick leave.

913 The Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-
914 152; D.C. Official Code § 32-531.01 *et seq.*), is amended as follows:

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

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

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

920 “(a)(1) During the COVID-19 emergency, an employer with between 50 and 499
921 employees that is not a health care provider shall provide paid leave to an employee pursuant to
922 this section for an absence from work due to any of the reasons for which paid leave may be used
923 pursuant to sections 3102 and 5102 of the Families First Coronavirus Response Act, approved
924 March 18, 2020 (Pub. L. No. 116-127; 134 Stat. 178).

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

929 “(3)(A) Subject to subparagraph (B) of this paragraph, paid leave provided
930 pursuant to this section shall be compensated at the employee’s regular rate of pay or, in the case
931 of an employee who does not have a regular rate of pay, the employee’s rate of pay shall be

932 determined by dividing the employee's total gross earnings, including all tips, commission,
933 piecework, or other earnings earned on an irregular basis for the most recent 2-week period that
934 the employee worked, by the number of hours the employee worked during that 2-week period.

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

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

940 “(5) An employer may require that an employee exhaust any available leave under
941 federal or District law or an employer's own policies prior to use of additional leave under this
942 section.

943 “(b) Nothing in this section shall be construed to require an employer to provide an
944 employee with paid leave pursuant to this section for more than 2 full weeks of work, up to 80
945 hours. If an employee uses all of the declared emergency paid leave available and subsequently
946 informs the employer of the employee's continued need to be absent from work, the employer
947 shall inform the employee of any paid or unpaid leave to which the employee may be entitled
948 pursuant to federal law, other District law, or the employer's own policies.

949 “(c) An employer alleged to have violated this section shall be provided with an
950 opportunity to cure such alleged violation by the Mayor. Such opportunity to cure shall last for

951 no more than 5 business days from the date the employer is notified in writing of the potential
952 violation of the law. Such notice may be from the Mayor’s duly authorized representative in a
953 form and manner as prescribed by the representative.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

990 Sec. 104. Emergency leave enforcement.

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

994 “(b-1)(1) Notwithstanding subsections (b) and (e) of this section, during the COVID-19
995 emergency, money in the Fund may be used for activities related to enforcement the declared
996 emergency leave requirement contained in Section 3a of the Accrued Sick and Safe Leave Act of
997 2008, passed on emergency basis on April 7, 2020 (Enrolled version of Bill 23-X).”

998 “(2) For the purposes of this subsection, “COVID-19 emergency” means the
999 emergencies declared in the Declaration of Public Emergency (Mayor’s Order 2020-045)
1000 together with the Declaration of Public Health Emergency (Mayor’s Order 2020-046), declared
1001 on March 11, 2020, including any extension of those declared emergencies.”.

1002 Sec. 105. UDC fundraising match.

1003 Section 4082(a) of the University of the District of Columbia Fundraising Match Act of
1004 2019, effective September 11, 2019 (D.C. Law 23-16; 66 DCR 12631), is amended by striking
1005 the phrase “for every \$2 that UDC raises from private donations by April 1” and inserting the

1006 phrase “to match dollar-for-dollar the amount UDC raises from private donations by May 1” in
1007 its place.

1008 Sec. 106. Graduation requirements.

1009 Chapter 22 of Title 5-A of the District of Columbia Municipal Regulations (5-A DCMR §
1010 2201 *et seq.*) is amended as follows:

1011 (a) Section 2203.3(f) (5-A DCMR § 2203.3(f)) is amended by striking the phrase “shall
1012 be satisfactorily completed” and inserting the phrase “shall be satisfactorily completed, except
1013 that this requirement shall be waived for a senior who would otherwise be eligible to graduate
1014 from high school in the District of Columbia in the 2019-20 school year” in its place.

1015 (b) Section 2299.1 (5-A DCMR § 2299.1) is amended by striking the phrase “one
1016 hundred and twenty (120) hours of classroom instruction over the course of an academic year”
1017 and inserting the phrase “one hundred and twenty (120) hours of classroom instruction over the
1018 course of an academic year, except that, following the Superintendent’s approval to grant an
1019 exception to the one hundred eighty (180) day instructional day requirement pursuant to 5A
1020 DCMR § 2100.3 for school year 2019-20, a Carnegie Unit may consist of fewer than one
1021 hundred and twenty (120) hours of classroom instruction over the course of the 2019-2020
1022 academic year for any course in which a student in grades 9-12 is enrolled” in its place.

1023 **TITLE II. BUSINESS DEVELOPMENT AND CONSUMER PROTECTION**

1024 Sec. 201. Enhanced penalties for unlawful trade practices.

1025 Section 28-3903(a)(17) of the District of Columbia Official Code is amended by striking
1026 the phrase “by the Department.” and inserting the phrase “by the Department; except, that
1027 notwithstanding any other provision of District law or regulation, during a period of time for
1028 which the Mayor has declared a public health emergency pursuant to section 5a of the District of
1029 Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14- 194; D.C.
1030 Official Code § 7-2304.01), a violation of this chapter or of any rule issued under the authority of
1031 this chapter shall be a Class 1 infraction within the meaning of 16 DCMR § 3200.1(a).”.

1032 Sec. 202. Mortgage relief.

1033 (a) In accordance with section 5(b)(15) of the District of Columbia Public Emergency
1034 Act of 1980, effective March 17, 2020 (D.C. Law 3-149; D.C. Official Code § 7-2301(b)(15)),
1035 and notwithstanding the any provision of the Mortgage Lender and Broker Act of 1996, effective
1036 September 9, 1996 (D.C. Act 23-247; D.C. Official Code § 26-1101 *et seq.*) (“Mortgage Lender
1037 Act”), or any other provision of District law, during a period of time for which the Mayor has
1038 declared a public health emergency pursuant to section 5a of the District of Columbia Public
1039 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14- 194; D.C. Official Code § 7-
1040 2304.01), and for 60 days thereafter, a mortgage servicer that holds mortgage servicing rights to
1041 a residential mortgage loan or commercial mortgage loan under the jurisdiction of the
1042 Commissioner of the Department of Insurance, Securities, and Banking, shall develop a
1043 deferment program for borrowers that, at a minimum:

1044 (1) Grants at least a 90-day deferment period of mortgage payments for
1045 borrowers;

1046 (2) Waives any late fee, processing fee, or any other fees accrued during the
1047 pendency of the public health emergency; and

1048 (3) Does not report to a credit bureau any delinquency or other derogatory
1049 information that occurs as a result of the deferral.

1050 (b) The mortgage servicer shall establish application criteria and procedures for
1051 borrowers to apply for the deferment program. An application shall be made available online and
1052 by telephone.

1053 (c) The mortgage servicer shall approve each application in which a borrower:

1054 (1) Demonstrates to the mortgage servicer evidence of a financial hardship
1055 resulting directly or indirectly from the public health emergency, including an existing
1056 delinquency or future ability to make payments; and

1057 (2) Agrees in writing to pay the deferred payments within:

1058 (A) A reasonable time agreed to in writing by the applicant and the
1059 mortgage servicer; or

1060 (B) If no reasonable time can be agreed to pursuant to subparagraph (A) of
1061 this paragraph, 5 years from the end of the deferment period, or the end of the original term of
1062 the mortgage loan, whichever is earlier.

1063 (d)(1) A mortgage servicer who receives an application for deferment pursuant to this
1064 section shall retain the application, whether approved or denied, for at least 3 years after final
1065 payment is made on the mortgage or the mortgage is sold, whichever occurs first.

1066 (2) Upon request, a mortgage servicer shall make an application for deferment
1067 available to the Commissioner.

1068 (e) A mortgage servicer shall be prohibited from requiring a lump sum payment from
1069 any borrower making payments under a deferred payment program pursuant to subsection
1070 (c)(2)(A) of this section, subject to investor guidelines.

1071 (f) A person or business whose application for deferment is denied may file a written
1072 complaint with the Commissioner. The Commissioner is authorized to investigate the complaint
1073 in accordance with section 13 of the Mortgage Lender and Broker Act of 1966, effective
1074 September 9, 1996 (D.C. Law 11-1551; D.C. Official Code § 26-1112).

1075 (g) A borrower receiving a mortgage deferral pursuant to subsection (b) of this section on
1076 a property that has a ~~commercial tenant~~ tenant:

1077 (1) Shall reduce the rent charged for the property to any qualified tenant during
1078 the period of time in which there is mortgage deferral in place in an amount proportional to the
1079 reduced mortgage amount paid by the borrower to the mortgage servicer; and

1080 (2) May require the qualified tenant repay the amount of any reduced rent,
1081 without interest or fees, within 18 months, or at the end of the lease term, whichever occurs first.

1082 (h) To the extent necessary to conform with the provisions of this section, the exemptions
1083 in section 3 of the Mortgage Lender and Broker Act of 1996, effective September 9, 1996 (D.C.
1084 Law 11-155; D.C. Official Code § 26-1102), are waived for the duration of the public health
1085 emergency.

1086 (i) To the extent necessary to conform with the provisions of this section, the provisions
1087 in section 313(c)(1) of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89;
1088 D.C. Official Code § 42-1903.13(c)(1)), are waived for the duration of the public health
1089 emergency.

1090 (k) This section shall not apply to a property for which, as of March 11, 2020, a mortgage
1091 servicer initiated a foreclosure action or exercised its right to accelerate the balance and maturity
1092 date of the loan, on or before March 11, 2020.

1093 (l) For the purposes of this section, the term:

1094 (1) “Commercial mortgage loan” means a loan for the acquisition, construction,
1095 or development of real property, or a loan secured by collateral in such real property, that is
1096 owned or used by a person, business, or entity for the purpose of generating profit, and shall
1097 include real property used for single-family housing, multifamily housing, retail, office space,
1098 and commercial space.

1099 (2) “Commissioner” means the Commissioner of the Department of Insurance,
1100 Securities, and Banking.

1101 (3) “Mortgage servicer” mean an entity that has mortgage servicing rights.

1102 (4) “Mortgage servicing rights” means the right under a contractual agreement
1103 between the mortgage lender and a mortgage servicer for the mortgage servicer to receive
1104 scheduled periodic payments from a person or business pursuant to the terms of a mortgage loan
1105 and performs other services in connection with the mortgage, including maintaining account
1106 records and communicating with the borrower.

1107 (5) “Qualified tenant” means a ~~commercial tenant~~ tenant of a property owned or
1108 controlled by a person or entity receiving a mortgage deferral under subsection (a) of this section
1109 that has notified the landlord of an inability to pay all or a portion of the rent due as a result of
1110 the public health emergency.

1111 Sec. 203. Tenant protections.

1112 (a) Section 312(a) and (b)(2) of the COVID Response Emergency Amendment Act of
1113 2020, effective March 17, 2020 (D.C. Act 23-247; 67 DCR 3093), is repealed.

1114 (b) The Rental Housing Conversion and Sale Act of 1980, effective September 10, 1980
1115 (D.C. Law 3-86, D.C. Official Code § 42-3401.01 *et seq.*), is amended by adding a new section
1116 514 to read as follows:

1117 “Sec. 514. Tolling of tenant deadlines during a public health emergency.

1118 “The running of all time periods for tenants and tenant organizations to exercise rights
1119 under this act shall be tolled from the beginning of the period of a public health emergency

1120 declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
1121 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), until the end of
1122 the public health emergency, and for 30 days thereafter.”.

1123 (c) The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C.
1124 Official Code § 42-3501.01 *et seq.*), is amended as follows:

1125 (1) Section 208(a)(1) (D.C. Official Code § 42-3502.08(a)(1)) is amended as
1126 follows:

1127 (A) Subparagraph (F) is amended by striking the phrase “; and” and
1128 inserting a semicolon in its place.

1129 (B) Subparagraph (G) is amended by striking the period at the end and
1130 inserting the phrase “; and” in its place.

1131 (C) A new subparagraph (H) is added to read as follows:

1132 “(H) None of the circumstances set forth in section 904(c) applies.”.

1133 (2) Section 553 (D.C. Official Code § 42-3505.53) is amended as follows:

1134 (A) The existing language is designated subsection (a).

1135 (B) A new subsection (b) is added to read as follows:

1136 “(b) Any notice of intent to vacate that a tenant provided prior to the period for which a
1137 public health emergency has been declared pursuant to section 5a of the District of Columbia
1138 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official

1139 Code §7-2304.01), shall be tolled for the period of any such public health emergency such that
1140 the tenant shall have the same number of days to vacate remaining at the end of the public health
1141 emergency as the tenant had remaining upon the effective date of the public health emergency.”.

1142 (3) Section 554 (D.C. Official Code § 42-3505.54) is amended by adding a new
1143 subsection (c) to read as follows:

1144 “(c) Any notice of intent to vacate that a tenant provided prior to the period for which a
1145 public health emergency has been declared pursuant to section 5a of the District of Columbia
1146 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official
1147 Code §7-2304.01), shall be tolled for the period of any such public health emergency such that
1148 the tenant shall have the same number of days to vacate remaining at the end of the public health
1149 emergency as the tenant had remaining upon the effective date of the public health emergency.”.

1150 (4) Section 904 D.C. Official Code § 42-3509.04) is amended by adding a new
1151 subsection (c) to read as follows:

1152 “(c) Any rent increase, whether under this chapter, the Rental Accommodations Act of
1153 1975, the Rental Housing Act of 1977, the Rental Housing Act of 1980, or any administrative
1154 decisions issued under these acts, shall be null and void if:

1155 “(1) The effective date on the notice of rent increase occurs during a period for
1156 which a public health emergency has been declared pursuant to section 5a of the District of

1157 Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194, D.C.
1158 Official Code § 7-2304.01) and for 30 days thereafter;

1159 “(2) The notice of rent increase was provided to the tenant during a period for
1160 which a public health emergency has been declared; or

1161 “(3) The notice was provided to the tenant prior to, but takes effect following, a
1162 public health emergency.”.

1163 (5) A new section 910 is added to read as follows:

1164 “Sec. 910. Tolling of tenant deadlines during a public health emergency.

1165 “The running of all time periods for tenants and tenant organizations to exercise rights
1166 under this act or under chapters 38 through 43 of Title 14 of the District of Columbia Municipal
1167 Regulations (14 DCMR §§ 3800 to 4399), shall be tolled during a period for which a public
1168 health emergency has been declared pursuant to section 5a of the District of Columbia Public
1169 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
1170 2304.01), and for 30 days thereafter.”.

1171 (d) Notwithstanding any other provision of law, a rent increase for a residential property
1172 not prohibited by the provisions of Section 904(c) of the Rental Housing Act of 1985, effective
1173 July 17, 1985 (D.C. Law 6-10; D.C. Official Code D.C. Official Code § 42-3509.04(c)), shall be
1174 prohibited during a period for which a public health emergency has been declared pursuant to

1175 section 5a of the District of Columbia Public Emergency Act of 1980, effective .October 17,
1176 2002 (D.C. Law 14-194, D.C. Official Code § 7-2304.01), and for 30 days thereafter.

1177 Sec. 204. Utilities.

1178 (a) A cable operator, as that term is defined by section 103(6) of the Cable Television
1179 Communications Act of 1981 effective August 21, 1982 (D.C. Law 4-142; D.C. Official Code §
1180 34-1251.03(6)), shall not disconnect, suspend or degrade basic cable service or ~~other cable~~
1181 ~~operator~~ other basic cable operator services for non-payment of a bill, any fees for service or
1182 equipment, or any other charges, or for noncompliance with a deferred payment agreement
1183 during a period of time for which the Mayor has declared a public health emergency pursuant to
1184 section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002
1185 (D.C. Law 14-194; D.C. Official Code § 7-2304.01) or for 15 calendar days thereafter. For
1186 purposes of this subsection, the term "~~other cable operator services~~" "other basic cable operator
1187 services" only ~~includes broadband~~ includes basic broadband internet service and VOIP service.”.

1188 (b) The Telecommunications Competition Act of 1996, effective September 9, 1996
1189 (D.C. Law 11-154; D.C. Official Code § 34-2002.01 *et. seq.*), is amended to add a new section
1190 3a to read as follows:

1191 “Section 3a. Disconnection of telecommunications service during a public health
1192 emergency prohibited.

1193 “(a) For the purposes of this section, the term “public health emergency” means a period
1194 of time for which the Mayor has declared a public health emergency pursuant to section 5a of the
1195 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1196 194; D.C. Official Code § 7-2304.01).

1197 “(b) A telecommunications service provider shall not disconnect, suspend or ~~degrade~~
1198 ~~telecommunications~~ degrade basis telecommunications service for non-payment of a bill, any
1199 fees for service or equipment, and other charges, or noncompliance with a deferred payment
1200 agreement during a public health emergency or for 15 calendar days thereafter.”.

1201 (c) Notwithstanding any District law, the Attorney General may use the enforcement
1202 authority set forth at D.C. Official Code § 28-3909 against any merchant, including a utility
1203 provider, that violates any provisions of this act, the COVID-19 Response Emergency
1204 Amendment Act of 2020, effective March 17, 2020 (D.C. Act 23-247; 67 DCR 3093), or the
1205 COVID-19 Supplemental Response Temporary Amendment Act of 2020, passed on 1st reading
1206 on April 7, 2020 (Engrossed version of Bill 23-X).

1207 (d) Section 113a(c) of the District Department of the Environment Establishment Act of
1208 2005, effective September 11, 2019 (D.C. Law 23-16, D.C. Official Code § 8-151.13a(c)), is
1209 amended as follows:

1210 (1) The existing text is designated paragraph (1).

1211 (2) A new paragraph (2) is added to read as follows:

1212 “(2) Notwithstanding paragraph (1) of this subsection, during a period of time for
1213 which the Mayor has declared a public health emergency (“PHE”) pursuant to section 5a of the
1214 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1215 194; D.C. Official Code § 7-2304.01) and for 105 calendar days thereafter, money in the Fund
1216 may be used to assist low-income residential customers located in the District of Columbia with
1217 the payment of an outstanding water bill balance; except, that not less than \$1,260,000 of
1218 funding allocated in the fiscal year in which the PHE occurs shall be reserved to assist nonprofit
1219 organizations located in the District with the payment of impervious area charges, pursuant to
1220 section 216b(a) of the Water and Sewer Authority Rate Establishment and Department of Public
1221 Works Reorganization Act of 1996, effective October 30, 2018 (D.C. Law 22-168; D.C. Official
1222 Code § 34-2202.16b(a) and not less than \$360,000 of funding allocated in the fiscal year in
1223 which the PHE occurs shall be reserved to assist residential customers with the payment of
1224 impervious area charges, pursuant to section 216b(b).”.

1225 Sec. 205. Certified Business Enterprise assistance.

1226 (a) Notwithstanding the Small and Certified Business Enterprise Development and
1227 Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-
1228 218.01 *et. seq.*) (“CBE Act”), or any other provision of District law or regulation, during the
1229 period of the COVID-19 emergency, any contract for a government-assisted project in excess of
1230 \$250, 000 that are unrelated to the District’s response to the COVID-19 emergency but entered

1231 into during the COVID-19 emergency, absent a waiver pursuant to section 2351 of the CBE Act,
1232 shall provide that:

1233 (A) At least 50% of the dollar volume of the contract be subcontracted to
1234 small business enterprises; or

1235 (B) If there are insufficient qualified small business enterprises to meet the
1236 requirement of subparagraph (A) of this paragraph, the subcontracting requirement may be
1237 satisfied by subcontracting 50% of the dollar volume (CBE minimum expenditure) to any
1238 qualified certified business enterprises; provided, that best efforts shall be made to ensure that
1239 qualified small business enterprises are significant participants in the overall subcontracting
1240 work.

1241 (b)(1) For every dollar expended by a beneficiary with a resident-owned business, the
1242 beneficiary shall receive a credit for \$1.10 against the CBE minimum expenditure.

1243 (2) For every dollar expended by a beneficiary with a disadvantaged business
1244 enterprise, the beneficiary shall receive a credit for \$1.25 against the CBE minimum expenditure.

1245 (3) For every dollar expended by a beneficiary that uses a company designated as
1246 both a DBE under section 2333 of the CBE Act and as a ROB under section 2303(15) of the
1247 ~~CBE Act shall receive~~ CBE Act, the beneficiary shall receive a maximum credit for \$1.30
1248 against the CBE minimum expenditure.

1249 (c) For the purposes of this section, the term:

1250 (1) “Beneficiary” has the same meaning as defined in section 2302(1B) of the
1251 CBE Act (D.C. Official Code § 2-218.02(1B)).

1252 (2) “Best efforts” means that a beneficiary is obligated to make its best attempt to
1253 accomplish the agreed-to goal, even where there is uncertainty or difficulty.

1254 (3) “COVID-19 emergency” means the emergencies declared in the Declaration
1255 of Public Emergency (Mayor’s Order 2020-045) together with the Declaration of Public Health
1256 Emergency (Mayor’s Order 2020-046), declared on March 11, 2020, including any extension of
1257 those declared emergencies.

1258 (4) “Disadvantaged business enterprise” has the same meaning as defined in
1259 section 2333 of the CBE Act (D.C. Official Code § 2-218.33).

1260 (5) “Government-assisted project” has the same meaning as defined in section
1261 2302(9A) of the CBE Act (D.C. Official Code § 2-218.02(9A)).

1262 (6) “Longtime resident business” has the same meaning as defined in section
1263 2302(13) of the CBE Act (D.C. Official Code § 2-218.02(13)).

1264 (7) “Resident owned business” has the same meaning as defined in section
1265 2302(15) of the CBE Act (D.C. Official Code § 2-218.02(15)).

1266 (8) “Small Business Enterprises” has the same meaning as defined in section 2332
1267 of the CBE Act (D.C. Official Code § 2-218.32).

1268 (d) Contracts entered into on an emergency basis or that are made in furtherance of, or that
1269 are related to, the District’s response to the COVID-19 emergency shall not be subject to the
1270 requirements of the Small and Certified Business Enterprise Development and Assistance Act of
1271 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Code § 2-218.01 *et seq.*) or the First Source
1272 Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code §
1273 2-219. 01 *et seq.*).

1274 Sec. 206. Funeral services consumer protection.

1275 (a) The District of Columbia Funeral Services Regulatory Act of 1984, effective May 22,
1276 1984 (D.C. Law 5-84; D.C. Official Code § 3-401 *et seq.*), is amended by adding a new section
1277 4a to read as follows:

1278 “Sec. 4a. For the period of time for which the Mayor has declared a public health
1279 emergency (“PHE”) pursuant to section 5a of the District of Columbia Public Emergency Act of
1280 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), there shall
1281 be a Funeral Bill of Rights designed to inform consumers of required pricing disclosures and
1282 other available consumer rights. The Department of Consumer and Regulatory Affairs, in
1283 consultation with the Board of Funeral Directors and the Attorney General of the District of
1284 Columbia, shall write the Funeral Bill of Rights which shall be published in the District of
1285 Columbia Register no later than May 8, 2020. Should this not occur on or before May 1, 2020,

1286 the Attorney General may write the Funeral Bill of Rights and they shall be published in the
1287 District of Columbia Register no later than May 15, 2020.

1288 (b) Section 28-3904 of the District of Columbia Official Code is amended as follows:

1289 (1) Subsection (jj) is amended by striking the phrase “; or” and inserting a
1290 semicolon in its place.

1291 (2) Subsection (kk) is amended by striking the period at the end and inserting the
1292 phrase “; or” in its place.

1293 (3) New subsections (ll) and (mm) are added to read as follows:

1294 “(ll) violate any provision of section 3013 of Title 17 of the District of Columbia
1295 Municipal Regulations (17 DCMR § 3013); or”

1296 “(mm) violate any provision of section 3117 of Title 17 of the District of Columbia
1297 Municipal Regulations (17 DCMR § 3117).”.

1298 (c) Title 17 of the District of Columbia Municipal Regulations (17 DCMR § 100 *et seq.*)
1299 is amended as follows:

1300 (1) Section 3013.2(l) (17 DCMR § 3013.2(l)) is amended as follows:

1301 (A) The lead-in language of subparagraph (8) is amended by striking the
1302 phrase “customer, or failing to passing” and inserting the phrase “customer, failing to provide to
1303 the customer any receipts for amounts advanced, paid, or owed to third parties on behalf of the
1304 customer, or failing to pass” in its place.

1305 (B) Subparagraph (24) is amended by striking the phrase “; or” and
1306 inserting a semicolon in its place.

1307 (C) Subparagraph (25) is amended by striking the period at the end and
1308 inserting a semicolon in its place.

1309 (D) New subparagraphs (26), (27), (28), and (29) are added to read as
1310 follows:

1311 “(26) Failing to clearly and conspicuously post a General Price List, Casket Price
1312 List, or an Outer Burial Container Price List, that meets the requirements of the Funeral Industry
1313 Practices Rules of the Federal Trade Commission (16 C.F.R. § 453 *et seq.*), on any websites
1314 maintained by the applicant or licensee;

1315 “(27) Failing to provide to any customer a General Price List, Casket Price List,
1316 or an Outer Burial Container Price List that meets the requirements of the Funeral Industry
1317 Practices Rules of the Federal Trade Commission (16 C.F.R. § 453 *et seq.*);

1318 “(28) Failing to clearly and conspicuously post the Funeral Bill of Rights, as
1319 specified in section 4a of the District of Columbia Funeral Services Regulatory Act of 1984,
1320 passed on emergency basis on April 7, 2020 (Enrolled version of Bill 23-X), on any websites
1321 maintained by the applicant or licensee; or

1322 “(29) Failing to provide to any customer the Funeral Bill of Rights, as specified in
1323 section 4a of the District of Columbia Funeral Services Regulatory Act of 1984, passed on

1324 emergency basis on April 7, 2020 (Enrolled version of Bill 23-X), during an initial meeting to
1325 discuss or make arrangements for the purchase of funeral goods or services.”.

1326 (2) Section 3110 (17 DCMR § 3110) is amended by adding a new subsection 3110.9 to
1327 read as follows:

1328 “3110.9 A funeral services establishment shall keep and retain records documenting any
1329 required disclosures to consumers, including disclosure of its General Price List, Casket Price
1330 List, an Outer Burial Container Price List, and the Funeral Bill of Rights signed by the consumer,
1331 as specified in section 4a of the District of Columbia Funeral Services Regulatory Act of 1984,
1332 passed on emergency basis on April 7, 2020 (Enrolled version of Bill 23-X), after the completion
1333 or termination of a funeral contract.”.

1334 Sec. 207. Debt collection.

1335 Section 28-3814 of the D.C. Official Code is amended as follows:

1336 (a) Subsection (b) is amended as follows:

1337 (1) New paragraphs (1B) and (1C) are added to read as follows:

1338 “(1B) “collection lawsuit” means any legal proceeding, including
1339 civil actions, statements of small claims, and supplementary process actions, commenced in any
1340 court for the purpose of collecting any debt or other past due balance owed or alleged to be
1341 owed.

1342 “(1C) “debt” means money or its equivalent which is, or is alleged to be, more
1343 than 30 days past due and owing, unless a different period is agreed to by the debtor, under a
1344 single account as a result of a purchase, lease, or loan of goods, services, or real or personal
1345 property, for personal, family or household purposes or as a result of a loan of money which is
1346 obtained for personal, family or household purposes whether or not the obligation has been
1347 reduced to judgment.”.

1348 (2) A new paragraph (4) is added to read as follows:

1349 “(4) public health emergency” means a period of time for which the Mayor has
1350 declared a public health emergency pursuant to either section 5a of the District of Columbia
1351 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official
1352 Code § 7-2304.01), or the Natural Disaster Consumer Protection Act, effective March 20, 1992
1353 (D.C. Law 9-80; D.C. Official Code § 28-4102).”.

1354 (b) New subsections (l), (m), and (n) are added to read as follows:

1355 “(l)(1) Notwithstanding ~~subsection (a) of this section~~ subsection (a) of this section,
1356 subsections (l) and (m) of this section shall apply to any debt, including but not limited to, this
1357 subsection shall apply to loans directly secured on motor vehicles or direct motor vehicle
1358 installment loans covered by chapter 36 of Title 28.

1359 “(2) During a public health emergency and for 60 days after its conclusion, no
1360 creditor or debt collector shall, with respect to any debt:

1361 “(A) Initiate, file, or threaten to file any new collection lawsuit;

1362 “(B) Initiate, threaten to initiate, or act upon any statutory remedy for the
1363 garnishment, seizure, attachment, or withholding of wages, earnings, property, or funds for the
1364 payment of a debt to a creditor;

1365 “(C) Initiate, threaten to initiate, or act upon any statutory remedy for the
1366 repossession of any vehicle, provided that creditors or debt collectors may accept collateral that
1367 is voluntarily surrendered; or

1368 “(D) Visit or threaten to visit the household of a debtor at any time;

1369 “(E) Visit or threaten to visit the place of employment of a debtor at any
1370 time for the purpose of collecting a debt; or

1371 “(F) Confront or communicate in person with a debtor regarding the
1372 collection of a debt in any public place at any time.

1373 “(3) This subsection shall not apply to collecting or attempting to collect a debt
1374 that is, or is alleged to be, owed on a loan secured by a mortgage on real property.

1375 “(m)(1) During a public health emergency and for 60 days after its conclusion, no debt
1376 collector shall initiate any communication with any debtor via any written or electronic
1377 communication, including email or text message, or telephone, provided that a debt collector
1378 shall not be deemed to have initiated a communication with a debtor if the communication by the
1379 debt collector is in response to a request made by the debtor for said communication.

1380 “(2) This subsection shall not apply to communications initiated solely for the
1381 purpose of informing a debtor of a rescheduled court appearance date or discussing a mutually
1382 convenient date for a rescheduled court appearance;

1383 “(3) This subsection shall not apply to original creditors collecting or attempting
1384 to collect their own debt, nor shall it apply to collecting or attempting to collect a debt which is,
1385 or is alleged to be, owed on a loan secured by a mortgage on real property.

1386 “(n) Subsections (l) and (m) of this section shall not be construed to:

1387 “(1) Exempt any person from complying with existing laws or rules of
1388 professional conduct with respect to debt collection practices;

1389 “(2) Supersede or in any way limit the rights and protections available to
1390 consumers under applicable local, state, or federal foreclosure laws;

1391 “(3) Supersede any obligation under the District of Columbia Rules of
1392 Professional Conduct, to the extent of any inconsistency.”.

1393 Sec. 208. Carry out and delivery.

1394 (a) Section 203 of the COVID-19 Response Emergency Amendment Act of 2020,
1395 effective March 17, 2020 (D.C. Act 23-247; 67 DCR 3093), is repealed.

1396 (b) Chapter 1 of Title 25 of the District of Columbia Official Code is amended as follows:

1397 (1) Section 25-112 is amended by adding a new subsection (h) to read as follows:

1398 “(h)(1) A retailer with commercial street frontage at the Walter E. Washington
1399 Convention Center that sells food and is approved by the Washington Convention and Sports
1400 Authority to sell alcoholic beverages for on-premises consumption (a “Convention Center food
1401 and alcohol business”) that registers with the Board and receives written authorization from
1402 ABRA may, pursuant to § 25-113(a)(3)(C), sell beer, wine, or spirits in closed containers to
1403 individuals for carry out to their home, or deliver beer, wine, or spirits, in closed containers to
1404 the homes of District residents; provided, that such carry out or delivery orders are accompanied
1405 by one or more prepared food items.

1406 “(2) Board approval shall not be required for a registration under this
1407 subsection.”.

1408 (2) Section 25-113(a)(3)(C) is amended to read as follows:

1409 “(C) An on-premises retailer’s licensee, class C/R, D/R, C/T, D/T, C/H,
1410 D/H, C/X, or D/X, including a multipurpose facility or private club, that registers with the Board
1411 may sell beer, wine, or spirits in closed containers to individuals for carry out to their home, or
1412 deliver beer, wine, or spirits in closed containers to the homes of District residents; provided, that
1413 each such carry out or delivery order is accompanied by one or more prepared food items. Board
1414 approval shall not be required for a registration under this subparagraph; however, the licensee
1415 shall receive written authorization from ABRA prior to beginning carry out or delivery of beer,
1416 wine, or spirits pursuant to this subparagraph.”.

1417 Sec. 209. Opportunity accounts expanded use.

1418 The Opportunity Accounts Act of 2000, effective April 3, 2001 (D.C. Law 13-266; D.C.
1419 Official Code § 1-307.61 *et seq.*), is amended as follows:

1420 (a) Section 2 (D.C. Official Code § 1-307.61) is amended by adding a new paragraph
1421 (2A) to read as follows:

1422 “(2A) “Commissioner” means the Commissioner of the Department of Insurance,
1423 Securities, and Banking.”

1424 (b) Section 8 (D.C. Official Code § 1-307.67) is amended as follows:

1425 (1) Subsection (a) is amended by striking the figure “\$2” and inserting the figure
1426 “\$1” in its place.

1427 (2) Subsection (b) is amended as follows:

1428 (A) The lead-in language is amended by striking the figure “\$2” and
1429 inserting the figure “\$3” in its place.

1430 (B) Paragraph (1) is amended by:

1431 (i) Striking the phrase “in at least the same amount” and inserting
1432 the phrase “consistent with subsection (a) of this section” in its place.

1433 (ii) Striking the phrase “and” and inserting a semicolon in its place.

1434 (C) Paragraph (2) is amended by:

1435 (i) Striking the phrase “than \$3,000” and inserting the phrase “than
1436 \$6,000” in its place; and

1437 (ii) Striking the period and inserting the phrase “; and” in its place.

1438 (D) A new paragraph (3) is added to read as follows:

1439 “(3) The Commissioner may waive the requirement of subsection (a) of this
1440 section and may provide to an administering organization matching funds of up to \$4 for every
1441 dollar the account holder deposits into the opportunity account when adequate federal or private
1442 matching funds are not available.”.

1443 (c) Section 9(a) (D.C. Official Code § 1-307.68(a)) is amended as follows:

1444 (1) Paragraph (6) is repealed.

1445 (2) Paragraph (8) is amended by striking the period at the end and inserting the
1446 phrase “; and” in its place.

1447 (3) A new paragraph (9) is added to read as follows:

1448 “(9) To pay for any cost, expense, or item authorized by the Commissioner by
1449 rule issued pursuant to section 14, or by order during a declared public health emergency.”.

1450 (d) Section 10 (D.C. Official Code § 1-307.69) is amended as follows:

1451 (1) Subsection (b) is amended as follows:

1452 (A) Paragraph (2) is amended by striking the phrase “; or” and inserting a
1453 semicolon in its place.

1454 (B) Paragraph (3) is amended by striking the period at the end and
1455 inserting the phrase “; and” in its place.

1456 (C) A new paragraph (4) is inserted to read as follows:

1457 “(4) Making payments necessary to enable the account holder to meet necessary
1458 living expenses in the event of a sudden, unexpected loss of income.”.

1459 (2) Subsection (c) is amended by striking the phrase “An account holder” and
1460 inserting the phrase “Except during a period of time for which the Mayor has declared a public
1461 health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of
1462 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), an
1463 account holder.

1464 (3) New paragraphs (c-1), (c-2), and (c-3) are added to read as follows:

1465 “(c-1) If an account holder makes an emergency withdrawal for the purposes set forth at
1466 subsection (b)(2) or (3) of this section, the account holder shall withdraw only funds deposited
1467 by the account holder and shall not withdraw matching funds.

1468 “(c-2) If an account holder makes an emergency withdrawal for the purposes set forth at
1469 subsection (b)(1) of this section, the account holder shall withdraw only funds deposited by the
1470 account holder and shall not withdraw matching funds, unless the withdrawal is for a medical
1471 emergency.

1472 “(c-3) If an account holder makes an emergency withdrawal for the purposes set forth at
1473 subsection (b)(4) of this section, the account holder may withdraw funds deposited by the
1474 account holder and matching funds.”.

1475 (4) The lead-in language of subsection (e) is amended to read as follows:

1476 “(e) An account holder shall not be required to repay funds withdrawn from the
1477 opportunity account for an emergency withdrawal but must resume making deposits into the
1478 opportunity account no later than 90 days after the emergency withdrawal. If the account holder
1479 fails to make a deposit no later than 90 days after the emergency withdrawal:”.

1480 Sec. 210. Contractor advance payment.

1481 Section 2349 of the Small and Certified Business Enterprise Development and Assistance
1482 Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.49), is
1483 amended as follows:

1484 (1) Subsection (a)(2) is amended by striking the phrase “A policy” and inserting
1485 the phrase “Except as provided in subsection (a-1) of this section, a policy” in its place.

1486 (2) A new subsection (a-1) is added to read as follows:

1487 “(a-1) During a period of time for which the Mayor has declared a public health
1488 emergency (“PHE”) pursuant to section 5a of the District of Columbia Public Emergency Act of
1489 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), an agency
1490 may make advance payments to a certified contractor for purchases related to the PHE when the

1491 payments are necessary to achieve the purposes of this subtitle and may provide an advance of
1492 more than 10% of the total value of the contract.

1493 Sec. 211. Vacant property designations.

1494 Section 6(b) of An Act To provide for the abatement of nuisances in the District of
1495 Columbia by the Commissioners of said District, and for other purposes, effective April 27, 2001
1496 (D.C. Law 13-281; D.C. Official Code § 42-3131.06(b)) is amended as follows:

1497 (a) Paragraph (8) is amended by striking the phrase “; or” and inserting a semicolon in its
1498 place.

1499 (b) Paragraph (9) is amended by striking the period and inserting the phrase “; or” in its
1500 place.

1501 (c) A new paragraph (10) is added to read as follows:

1502 “(10) A commercial property that houses a business that has closed during a
1503 period of time for which the Mayor has declared a public health emergency pursuant to section
1504 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
1505 Law 14- 194; D.C. Official Code§ 7-2304.01), as a result of the circumstances giving rise to or
1506 resulting from the public health emergency, and for 60 days thereafter.”.

1507 Sec. 212. Franchise tax exclusion.

1508 D.C. Official Code § 47-1803.02(a)(2) is amended by adding a new subparagraph (GG)
1509 to read as follows:

1510 “(GG) Small business loans awarded and subsequently forgiven under
1511 section 1106 of the Coronavirus Aid, Relief, and Economic Security Act, approved March 27,
1512 2020 (Pub. L. No. 116-136; 134 Stat. 281) (“CARES Act”).”

1513 **TITLE III. JUDICIARY AND PUBLIC SAFETY.**

1514 Sec. 301. Police Complaints Board investigation extension.

1515 Section 5(d-3) of the Office of Citizen Complaint Review Establishment Act of 1998,
1516 effective March 26, 1999 (D.C. Law 12-208; D.C. Official Code § 5-1104(d-3)), is amended
1517 as follows:

1518 (a) Paragraph (1) is amended by striking the phrase “January 1, 2017, through December
1519 31, 2019” and inserting the phrase “August 1, 2019, through January 31, 2020” in its place.

1520 (b) Paragraph (2) is amended by striking the date “April 30, 2021” and inserting the date
1521 “September 30, 2021” in its place.

1522 Sec. 302. FEMS reassignments.

1523 Section 212 of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law
1524 2-38; D.C. Official Code § 2-1402.12), is amended by adding a new subsection (c) to read as
1525 follows:

1526 “(c) It shall not be an unlawful discriminatory practice for the Mayor to reassign
1527 personnel of the Fire and Emergency Medical Services Department from firefighting and
1528 emergency medical services operations during a period of time for which a public health

1529 emergency has been declared pursuant to section 5a of the District of Columbia Public
1530 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
1531 2304.01), based upon the inability of the personnel to wear personal protective equipment in a
1532 manner consistent with medical and health guidelines.”

1533 Sec. 303. Civil rights enforcement.

1534 The Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C.
1535 Official Code § 2-1401.01 *et seq.*), is amended by adding a new section 316a to read as follows:

1536 “Sec. 316a. Civil actions by the Attorney General.

1537 “During a period of time for which the Mayor has declared a public health emergency
1538 (“PHE”) pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
1539 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), in a civil action
1540 initiated by the Attorney General for violations of this act, or a civil action arising in connection
1541 with the public health emergency, other than an action brought pursuant to section 307:

1542 “(1) The Attorney General may obtain:

1543 “(A) Injunctive relief, as described in section 307;

1544 “(B) Civil penalties, up to the amounts described in section 313(a)(1)(E-1)

1545 for each action or practice in violation of this act, and, in the context of a discriminatory
1546 advertisement, for each day the advertisement was posted; and

1547 “(C) Any other form of relief described in section 313(a)(1); and

1548 “(2) The Attorney General may seek subpoenas for the production of documents
1549 and materials or for the attendance and testimony of witnesses under oath, or both, which shall
1550 contain the information described in section 108d(b) of the Attorney General for the District of
1551 Columbia Clarification and Elected Term Amendment Act of 2010, effective October 22, 2015
1552 (D.C. Law 21-36; D.C. Official Code § 1-301.88d(b)) (“Act”), and shall follow the procedures
1553 described in section 108d(c), (d), and (e) of the Act (D.C. Official Code § 1-301.88d(c), (d), and
1554 (e)); provided, the subpoenas are not directed to a District government official or entity.”.

1555 Sec. 304. Extension of time for non-custodial arrestees to report.

1556 Section 23-501(4) of the District of Columbia Official Code is amended by striking the
1557 period and inserting the phrase “; provided, that for non-custodial arrests conducted during a
1558 period of time for which the Mayor has declared a public health emergency pursuant to section
1559 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
1560 Law 14-194; D.C. Official Code § 7-2304.01), the person shall appear before an official of the
1561 relevant law enforcement agency to complete the arrest process within 90 days after the non-
1562 custodial arrest was conducted.” in its place.

1563 Sec. 305. Good time credits and compassionate release.

1564 An Act To establish a Board of Indeterminate Sentence and Parole for the District of
1565 Columbia and to determine its functions, and for other purposes, approved July 15, 1932 (47
1566 Stat. 697; D.C. Official Code § 24-403 et seq.), is amended as follows:

1567 (a) A new section 3a-i is added to read as follows:

1568 “Sec. 3a-i. Good time credit for felony offenses committed before August 5, 2000.

1569 “(a)(1) Notwithstanding any other provision of law, a defendant who is serving a term of
1570 imprisonment for an offense committed between June 22, 1994, and August 4, 2000, shall be
1571 retroactively awarded good time credit toward the service of the defendant’s sentence of up to 54
1572 days for each year of the defendant’s sentence imposed by the court, subject to determination by
1573 the Bureau of Prisons that during those years the defendant has met the conditions provided in 18
1574 U.S.C. § 3624(b).

1575 “(2) An award of good time credit pursuant to paragraph (1) of this subsection
1576 shall apply to the minimum and maximum term of incarceration, including the mandatory
1577 minimum; provided, that in the event of a maximum term of life, only the minimum term shall
1578 receive good time.

1579 “(b)(1) Notwithstanding any other provision of law, a defendant who is serving a term of
1580 imprisonment for an offense committed before June 22, 1994, shall be retroactively awarded
1581 good time credit toward the service of the defendant’s sentence of up to 54 days for each year of
1582 the defendant’s sentence imposed by the court, subject to determination by the Bureau of Prisons
1583 that during those years the defendant has met the conditions provided in 18 U.S.C. § 3624(b).

1584 “(2) An award of good time credit pursuant to paragraph (1) of this subsection:

1585 “(A) Shall apply to any mandatory minimum term of incarceration; and

1586 “(B) Is not intended to modify how the defendant is awarded good time
1587 credit toward any portion of the sentence other than the mandatory minimum.”.

1588 (b) A new section 3d is added to read as follows:

1589 “Sec. 3d. Motions for compassionate release for individuals convicted of felony offenses.

1590 “(a) Notwithstanding any other provision of law, the court may modify a term of
1591 imprisonment imposed upon a defendant if it determines the defendant is not a danger to the
1592 safety of any other person or the community, pursuant to the factors to be considered in 18
1593 U.S.C. §§ 3142(g) and 3553(a) and evidence of the defendant's rehabilitation while incarcerated,
1594 and:

1595 “(1) The defendant has a terminal illness, which means a disease or condition with
1596 an end-of-life trajectory;

1597 “(2) The defendant is 60 years of age or older and has served at least 25 years in
1598 prison; or

1599 “(3) Other extraordinary and compelling reasons warrant such a modification,
1600 including:

1601 “(A) A debilitating medical condition involving an incurable, progressive
1602 illness, or a debilitating injury from which the defendant will not recover;

1603 “(B) Elderly age, defined as a defendant who is:

1604 “(i) 60 years of age or older;

1605 “(ii) Has served at least 20 years in prison or has served the greater
1606 of 10 years or 75% of their sentence; and

1607 “(iii) Suffers from a chronic or serious medical condition related to
1608 the aging process or that causes an acute vulnerability to severe medical complications or death
1609 as a result of COVID-19;

1610 “(C) Death or incapacitation of the family member caregiver of the
1611 defendant’s children; or

1612 “(D) Incapacitation of a spouse or a domestic partner when the defendant
1613 would be the only available caregiver for the spouse or domestic partner.

1614 “(b) Motions brought pursuant to this section may be brought by the U.S. Attorney’s
1615 Office for the District of Columbia, the Bureau of Prisons, the United States Parole Commission,
1616 or the defendant.

1617 “(c) Although a hearing is not required, in order to provide for timely review of a motion
1618 made pursuant to this section and at the request of counsel for the defendant, the court may
1619 waive the appearance of a defendant currently held in the custody of the Bureau of Prisons.”. (a)
1620 ~~Notwithstanding any other provision of law, a defendant who is serving a term of imprisonment~~
1621 ~~for an offense committed before August 5, 2000 shall be retroactively awarded good time credit~~
1622 ~~for the time the defendant has served on the offense for which the sentence was imposed, in the~~

1623 amount of up to 54 days per year, subject to determination by the Bureau of Prisons as provided
1624 in 18 U.S.C. § 3624(b).

1625 ———“(b)(1) Except as provided in paragraph (2) of this subsection, good time credit awarded
1626 pursuant to subsection (a) of this section shall be applied toward the minimum term and
1627 maximum term and to any mandatory minimum term of incarceration.

1628 ———“(2) In the event of a maximum term of life, only the minimum term shall receive
1629 retroactive good time credit pursuant to paragraph (1) of this subsection.”.

1630 ———(b) A new section 3d is added to read as follows:

1631 ———“Sec. 3d. Motions for compassionate release for individuals convicted of felony offenses.

1632 ———“(a) The court may modify a term of imprisonment imposed upon a defendant if it
1633 determines the defendant is not a danger to the safety of any other person or the community,
1634 pursuant to the factors to be considered in 18 U.S.C. § 3142(g) and evidence of the defendant's
1635 rehabilitation while incarcerated, and:

1636 ———“(1) The defendant has a terminal illness, which means a disease or condition with
1637 an end-of-life trajectory;

1638 ———“(2) The defendant is 60 years of age or older and has served at least 25 years in
1639 prison; or

1640 ———“(3) Other extraordinary and compelling reasons warrant such a modification,
1641 including:

1642 _____“(A) A debilitating medical condition involving an incurable, progressive
1643 illness, or a debilitating injury from which the defendant will not recover;

1644 _____“(B) Elderly age, defined as a defendant who is:

1645 _____“(i) 60 years of age or older;

1646 _____“(ii) Has served at least 20 years in prison or has served the greater
1647 of 10 years or 75% of their sentence; and

1648 _____“(iii) Suffers from a chronic or serious medical condition related to
1649 the aging process or that causes an acute vulnerability to severe medical complications or death
1650 as a result of COVID-19.

1651 _____“(C) Death or incapacitation of the family member caregiver of the
1652 defendant’s children; or

1653 _____“(D) Incapacitation of a spouse or a domestic partner when the defendant
1654 would be the only available caregiver for the spouse or domestic partner.

1655 _____“(b) Motions brought pursuant to this section may be brought by the Bureau of Prisons,
1656 the United States Parole Commission, or the defendant.

1657 _____“(c) In order to provide for timely review of a motion made pursuant to this section and at
1658 the request of counsel for the defendant, the court may waive the appearance of a defendant
1659 currently in the custody of the Bureau of Prisons.”.

1660 Sec. 306. Electronic wills.

1661 Chapter 1 of Title 18 of the District of Columbia Official Code is amended as follows:

1662 (a) The table of contents is amended by adding a new section designation to read as
1663 follows:

1664 “18-813. Electronic wills.”.

1665 (b) Section 18-103(2) (D.C. Official Code § 18-103(2)) is amended by striking the phrase
1666 “in the presence of the testator” and inserting the phrase “in the presence or, during a period of
1667 time for which the Mayor has declared a public health emergency pursuant to section 5a of the
1668 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1669 194; D.C. Official Code § 7-2304.01), the electronic presence, as defined in § 18-813(a)(2), of
1670 the testator” in its place.

1671 (c) A new section 18-813 is added to read as follows:

1672 “§ 18-813. Electronic wills.

1673 “(a) Definitions.

1674 “For the purposes of this section, the term:

1675 “(1) “Electronic” means relating to technology having electrical, digital,
1676 magnetic, wireless, optical, electromagnetic, or similar capabilities.

1677 “(2) “Electronic presence” means when one or more witnesses are in a different
1678 physical location than the testator but can observe and communicate with the testator and one

1679 another to the same extent as if the witnesses and testator were physically present with one
1680 another.

1681 “(3) “Electronic will” means a will or codicil executed by electronic means.

1682 “(4) “Record” means information that is inscribed on a tangible medium or that is
1683 stored in an electronic medium and is retrievable in perceivable form.

1684 “(5) “Sign” means, with present intent to authenticate or adopt a record, to:

1685 “(A) Execute or adopt a tangible symbol; or

1686 “(B) Affix to or associate with the record an electronic signature.

1687 “(b)(1) A validly executed electronic will shall be a record that is:

1688 “(A) Readable as text at the time of signing pursuant to subparagraph (B);

1689 “(B) Signed:

1690 “(i) By the testator, or by another person in the testator’s physical
1691 presence and by the testator’s express direction; and

1692 “(ii) In the physical or electronic presence of the testator by at least
1693 two credible witnesses, each of whom is physically located in the United States at the time of
1694 signing.

1695 “(2) In order for the electronic will to be admitted to the Probate Court, the
1696 testator, a witness to the will, or an attorney admitted to practice in the District of Columbia who

1697 supervised the execution of the electronic will, shall certify a paper copy of the electronic will by
1698 affirming under penalty of perjury that:

1699 “(A) The paper copy of the electronic will is a complete, true, and accurate
1700 copy of the electronic will; and

1701 “(B) The conditions in subparagraph (A) were satisfied at the time the
1702 electronic will was signed.

1703 “(3) Except as provided in subsection (c), a certified paper copy of an electronic
1704 will shall be deemed to be the electronic will of the testator for all purposes under this title.

1705 “(c)(1) An electronic will may revoke all or part of a previous will or electronic will.

1706 “(2) An electronic will, or a part thereof, is revoked by:

1707 “(A) A subsequent will or electronic will that revokes the electronic will,
1708 or a part thereof, expressly or by inconsistency; or

1709 “(B) A direct physical act cancelling the electronic will, or a part thereof,
1710 with the intention of revoking it, by the testator or a person in the testator’s physical presence
1711 and by the testator’s express direction and consent.

1712 “(3) After it is revoked, an electronic will, or a part thereof, may not be revived
1713 other than by its re-execution, or by a codicil executed as provided in the case of wills or
1714 electronic wills, and then only to the extent to which an intention to revive is shown in the
1715 codicil.

1716 “(d) An electronic will not in compliance with subsection (b)(1) is valid if executed in
1717 compliance with the law of the jurisdiction where the testator is:

1718 “(1) Physically located when the electronic will is signed; or

1719 “(2) Domiciled or resides when the electronic will is signed or when the testator
1720 dies.

1721 “(e) Except as otherwise provided in this section:

1722 “(1) An electronic will is a will for all purposes under the laws of the District of
1723 Columbia; and

1724 “(2) The laws of the District of Columbia applicable to wills and principles of
1725 equity apply to an electronic will.

1726 “(f) This section shall apply to electronic wills made during a period of time for which
1727 the Mayor has declared a public health emergency pursuant to section 5a of the District of
1728 Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C.
1729 Official Code § 7-2304.01).”.

1730 **TITLE IV. HEALTH AND HUMAN SERVICES.**

1731 Sec. 401. Public health emergency.

1732 (a) Section 301(b) of the COVID-19 Response Emergency Amendment Act of 2020,
1733 effective March 17, 2020 (D.C. Act 23-247; 67 DCR 3093), amending section 7 of the District of
1734 Columbia Public Emergency Act of 1980, effective March 5, 1981 (D.C. Law 3-149; D.C.

1735 Official Code § 7-2306), is repealed. (b) The District of Columbia Public Emergency Act of
1736 1980, effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2301 *et seq.*), is
1737 amended as follows:

1738 (1) Section 5a(d) (D.C. Official Code § 7-2304.01(d)(3)) is amended as follows:

1739 (A) Paragraph (3) is amended by striking the phrase “; and” and inserting
1740 a semicolon in its place.

1741 (B) A new paragraph (3A) to read as follows:

1742 “(3A) Exempt any person, employee of the District of Columbia not otherwise
1743 exempt under existing law, or contractor providing services arising out of a contract with the
1744 District of Columbia from civil liability for damages for actions taken while acting within the
1745 scope of their employment or organization’s purpose, voluntary service, or scope of work to
1746 implement the provisions of the District of Columbia response plan and of An Act To authorize
1747 the Commissioners of the District of Columbia to make regulations to prevent and control the
1748 spread of communicable and preventable diseases, approved August 11, 1939 (53 Stat. 1408;
1749 D.C. Official Code § 7-131 *et seq.*), except in instances of gross negligence, and solely for
1750 actions taken during the public health emergency; and”

1751 (2) Section 7 (D.C. Official Code § 7-2306) is amended by adding a new
1752 subsection (c-1) to read as follows:

1753 “(c-1) Notwithstanding subsections (b) and (c) of this section, the Council authorizes the
1754 Mayor to extend the 15-day March 11, 2020, emergency executive order and public health
1755 emergency executive order (“emergency orders”) issued in response to the coronavirus (COVID-
1756 19) for an additional 90-day period. After the additional 90-day extension authorized by this
1757 subsection, the Mayor may extend the emergency orders for additional 15-day periods pursuant
1758 to subsection (b) or (c) of this subsection.”.

1759 Sec. 402. Extension of care and custody for aged-out youth.

1760 (a) Section 303(a-1) of the Prevention of Child Abuse and Neglect Act of 1977, effective
1761 April 4, 2001 (D.C. Law 13-277; D.C. Official Code § 4-1303.03(a-1)), is amended as follows:

1762 (1) Paragraph (12) is amended by striking the phrase “; and” and inserting a
1763 semicolon in its place.

1764 (2) Paragraph (13) is amended by striking the period and inserting the phrase “;
1765 and” in its place.

1766 (3) A new paragraph (14) is added to read as follows:

1767 “(14) To retain custody of a youth committed to the Agency who becomes 21
1768 years of age during a period of time for which the Mayor has declared a public health emergency
1769 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
1770 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), for a period not

1771 exceeding 90 days after the end of the public health emergency, provided that the youth consents
1772 to the Agency’s continued custody .”.

1773 (b) Chapter 23 of Title 16 of the District of Columbia Official Code is amended as
1774 follows:

1775 (1) Section 16-2303 is amended as follows:

1776 (A) The existing text is designated as subsection (a).

1777 (B) A new subsection (b) is added to read as follows:

1778 “(b) The Division shall retain jurisdiction of a minor in the legal custody of a public
1779 agency pursuant to § 16-2320(a)(1)(3)(A) who becomes 21 years of age during a period of time
1780 for which the Mayor has declared a public health emergency pursuant to section 5a of the
1781 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1782 194; D.C. Official Code § 7-2304.01), for a period not exceeding 90 days after the end of the
1783 public health emergency, provided that the minor consents to the retention of jurisdiction.”.

1784 (2) Section 16-2322(f)(1) is amended by striking the phrase “of age” and inserting
1785 the phrase “of age, except orders extended pursuant to § 16-2303(b)” in its place.

1786 Sec. 403. Hospital support funding.

1787 (a) The Mayor may, notwithstanding the Grant Administration Act of 2013, effective
1788 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), and in the Mayor’s

1789 sole discretion, issue a grant to an eligible hospital; provided, that the eligible hospital submits a
1790 grant application in the form and with the information required by the Mayor.

1791 (b) The amount of a grant issued to a hospital shall be based on:

1792 (1) An allocation formula based on the number of beds at the hospital; or

1793 (2) Such other method or formula, as established by the Mayor, that addresses the
1794 impacts of COVID-19 on hospitals.

1795 (c) A grant issued pursuant to this section may be expended by the hospital for:

1796 (1) Supplies and equipment related to COVID-19, including personal protective
1797 equipment, sanitization and cleaning products, medical supplies and equipment, and testing
1798 supplies and equipment;

1799 (2) Personnel costs incurred to respond to COVID-19, including the costs of
1800 contract staff; and

1801 (3) Costs of constructing and operating temporary structures to test individuals for
1802 COVID-19 or to treat patients with COVID-19.

1803 (d) The Mayor may issue one or more grants to a third-party grant-managing entity for
1804 the purpose of administering the grant program authorized by this section and making subgrants
1805 on behalf of the Mayor in accordance with the requirements of this section.

1806 (e) The Mayor shall maintain a list of all grants awarded pursuant to this section,
1807 identifying for each award the grant recipient, the date of award, intended use of the award, and

1808 the award amount. The Mayor shall publish the list online no later than July 1, 2020, or 30 days
1809 after the end of the COVID-19 emergency, whichever is earlier.

1810 (f) The Mayor, pursuant to section 105 of the District of Columbia Administrative
1811 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-505), may
1812 issue rules to implement the provisions of this section.

1813 (g) For the purposes of this section, the term:

1814 (1) “COVID-19 emergency” means the emergencies declared in the Declaration
1815 of Public Emergency (Mayor’s Order 2020-045) and the Declaration of Public Health
1816 Emergency (Mayor’s Order 2020-46), declared on March 11, 2020, including any extension of
1817 those emergencies.

1818 (2) “Eligible hospital” means a non-profit or for-profit hospital located in the
1819 District.

1820 **TITLE V. GOVERNMENT DIRECTION AND SUPPORT.**

1821 Sec. 501. Tolling of matters transmitted to the Council.

1822 (a) Section 502(c) of the COVID-19 Response Emergency Amendment Act of 2020,
1823 effective March 17, 2020 (D.C. Act 23-247; 67 DCR 3093), is amended by striking the phrase
1824 “section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C.
1825 Official Code § 1-523.01),” and inserting the phrase “section 2(a) of the Confirmation Act of
1826 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(a))” in its place.

1827 (b) Section 603(b)(1) of the COVID-19 Response Emergency Amendment Act of 2020,
1828 effective March 17, 2020 (D.C. Act 23-247; 67 DCR 3093), is amended by striking the phrase
1829 “48 hours” and inserting the phrase “2 business days” in its place.

1830 (c) Section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142;
1831 D.C. Official Code § 1-523.01), is amended as follows:

1832 (1) Subsection (c) is amended by striking the phrase “180 days” and inserting the
1833 phrase “180 days, excluding days occurring during a period of time for which the Mayor has
1834 declared a public health emergency pursuant to section 5a of the District of Columbia Public
1835 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
1836 2304.01),” in its place

1837 (2) Subsection (e) is amended by striking the phrase “excluding days of Council
1838 recess” and inserting the phrase “excluding days of Council recess and days occurring during a
1839 period of time for which the Mayor has declared a public health emergency pursuant to section
1840 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
1841 Law 14-194; D.C. Official Code § 7-2304.01)” in its place.

1842 (4) Subsection (f) is amended by striking the phrase “Council shall have an
1843 additional 45 days, excluding days of Council recess,” and inserting the phrase “Council shall
1844 have an additional 45 days, excluding days of Council recess and days occurring during a period
1845 of time for which the Mayor has declared a public health emergency pursuant to section 5a of the

1846 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1847 194; D.C. Official Code § 7-2304.01)” in its place.

1848 (d) Notwithstanding any provision of law, during a period time for which the Mayor has
1849 declared a public health emergency pursuant to section 5a of the District of Columbia Public
1850 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
1851 2304.01), the review period for any matter transmitted to the Council for approval or
1852 disapproval, other than nominations transmitted in accordance with section 2 of the Confirmation
1853 Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), contract
1854 approvals, or reprogrammings transmitted in accordance with section 4 of the Reprogramming
1855 Policy Act of 1980, effective September 16, 1980 (D.C. Law 3-100; D.C. Official Code § 47-
1856 363), shall be tolled if not inconsistent with the District of Columbia Home Rule Act, approved
1857 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

1858 Sec. 502. Council Code of Conduct.

1859 The Council of the District of Columbia, Code of Official Conduct, Council Period 23,
1860 effective January 2, 2019 (Res. 23-1; 66 DCR 272), is amended as follows:

1861 (a) Rule VI(c) is amended by adding a new paragraph (5) to read as follows:

1862 “(5) Notwithstanding any other rule, during a period of time for which the Mayor
1863 has declared a public health emergency pursuant to section 5a of the District of Columbia Public
1864 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-

1865 2304.01), a Councilmember may disseminate information about, and connect constituents with,
1866 services and offers, including from for-profit entities, that the Councilmember determines is in
1867 the public interest in light of the public health emergency.”.

1868 (b) Rule X(f)(1)(C) is amended by striking the phrase “The proposed” and inserting the
1869 phrase “Unless the electronic newsletter exclusively contains information relating to a declared
1870 public health emergency, the proposed” in its place.

1871 Sec. 503. Advisory neighborhood commissions.

1872 The Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C.
1873 Law 1-58; D.C. Official Code § 1-309.01 *et seq.*), is amended as follows:

1874 (a) Section 8 (D.C. Official Code § 1-309.06), is amended as follows:

1875 (1) Subsection (d) is amended as follows:

1876 (A) Paragraph (1) is amended by striking the phrase “prior to a general
1877 election” wherever it occurs and inserting the phrase “prior to a general election or during a
1878 period of time for which a public health emergency has been declared by the Mayor pursuant to
1879 section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002
1880 (D.C. Law 14-194; D.C. Official Code § 7-2304.01)” in its place.

1881 (B) Paragraph (6) is amended as follows:

1882 (i) Subparagraph (A) is amended by striking the phrase “and legal
1883 holidays” and inserting the phrase “legal holidays, and days during a period of time for which a

1884 public health emergency has been declared by the Mayor pursuant to section 5a of the District of
1885 Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C.
1886 Official Code § 7-2304.01)” in its place.

1887 (ii) Subparagraph (C) is amended by striking the phrase “petitions
1888 available,” and inserting the phrase “petitions available, not including days during a period of
1889 time for which a public health emergency has been declared by the Mayor pursuant to section 5a
1890 of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
1891 Law 14-194; D.C. Official Code § 7-2304.01),” in its place.

1892 (iii) Subparagraph (E) is amended by striking the phrase “or
1893 special meeting” and inserting the phrase “or special meeting, not to include a remote meeting
1894 held during a period of time for which a public health emergency has been declared by the
1895 Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
1896 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01),” in its place.

1897 (b) Section 13 (D.C. Official Code § 1-309.10) is amended by adding a new subsection
1898 (q) to read as follows:

1899 “(q) During a period of time for which a public health emergency has been declared by
1900 the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
1901 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01):

1902 “(1) The 30-day written notice requirement set forth in subsection (b) of this
1903 section shall be a 51-day written notice requirement; and

1904 “(2) The 45-calendar-day notice requirement set forth in subsection (c)(2)(A) of
1905 this section shall be a 66-calendar-day notice requirement.”

1906 (c) Section 16(j)(3) (D.C. Official Code § 1-309.13(j)(3)) is amended by adding a new
1907 subparagraph (C) to read as follows:

1908 “(C) Sub-subparagraph (i) of subparagraph (A) of this paragraph shall not
1909 apply to the failure to file quarterly reports due during a period of time for which a public health
1910 emergency has been declared by the Mayor pursuant to section 5a of the District of Columbia
1911 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official
1912 Code § 7-2304.01).”.

1913 Sec. 504. Disclosure extension; campaign finance training; and disbursement extension.

1914 (a) Section 161(a)(1) of the District of Columbia Retirement Reform Act, approved
1915 November 17, 1979 (93 Stat. 866; D.C. Official Code § 1-731(a)(1)), is amended by striking the
1916 phrase “April 30th” and inserting the phrase “July 30th” in its place.

1917 (b) The Government Ethics Act of 2011, effective April 27, 2012 (D.C. Law 19-124;
1918 D.C. Official Code § 1-1162.01 *et seq.*), is amended as follows:

1919 (1) Section 224 (D.C. Official Code § 1-1162.24) is amended by adding a new
1920 subsection (c-2) to read as follows:

1921 “(c-2) Notwithstanding any other provision of this section, in calendar year 2020, the
1922 Board may change the dates by which:

1923 “(1) Reports required by this section are to be filed; and

1924 “(2) The names of public officials are to be published pursuant to subsection (c-1)
1925 of this section.”.

1926 (2) Section 225 (D.C. Official Code § 1-1162.25) is amended by adding a new
1927 subsection (b-1) to read as follows:

1928 “(b-1) Notwithstanding any other provision of this section, in calendar year 2020, the
1929 Board may change the dates by which:

1930 “(1) Reports required by subsection (a) of this section are to be filed; and

1931 “(2) Reports filed pursuant to subsection (a) of this section shall be reviewed
1932 pursuant to subsection (b) of this section.”.

1933 (3) Section 230(a) (D.C. Official Code § 1-1162.30(a)) is amended by adding a
1934 new subsection (a-1) to read as follows:

1935 “(a-1) Notwithstanding any other provision of this section, in calendar year 2020, the
1936 Board may change the dates by which reports required by subsection (a) of this section shall be
1937 filed.”.

1938 (c) The Campaign Finance Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C.
1939 Official Code § 1-1163.01 *et seq.*) is amended as follows:

1940 (1) Section 304(7A)(A) (D.C. Official Code § 1-1163.04(7A)(A)) is amended by
1941 striking the phrase “in person, although online materials may be used to supplement the training”
1942 and inserting the phrase “in person or online” in its place.

1943 (2) Section 332d (D.C. Official Code § 1-1163.32d) is amended by striking the
1944 phrase “5 days after” wherever it appears and inserting the phrase “5 business days after” in its
1945 place.

1946 (3) Section 332e(e) (D.C. Official Code § 1-1163.32e(e)) is amended by striking
1947 the phrase “Within 5 days after” and inserting the phrase “Within 5 business days after” in its
1948 place.

1949 Sec. 505. Election preparations.

1950 The District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat.
1951 699; D.C. Official Code § 1-1001.01 *et seq.*), is amended as follows:

1952 (a) Section 2 (D.C. Official Code § 1-1001.02) is amended by adding a new paragraph
1953 (31) to read as follows:

1954 “(31) For the June 2, 2020, Primary Election and the June 16, 2020, Ward 2
1955 Special Election, the term “polling place” shall include Vote Centers operated by the Board
1956 throughout the District.”.

1957 (b) Section 5(a) (D.C. Official Code § 1-1001.05(a)) is amended by adding a new
1958 paragraph (9A) to read as follows:

1959 “(9A) For the June 2, 2020, Primary Election, mail every registered qualified
1960 elector an absentee ballot application and a postage-paid return envelope;”.

1961 (c) Section 7 (D.C. Official Code § 1-1001.07) is amended as follows:

1962 (1) Subsection (d)(2) is amended as follows:

1963 (A) Subparagraph (C) is amended by striking the phrase “; and” and
1964 inserting a semicolon in its place.

1965 (B) Subparagraph (D) is amended by striking the period and inserting the
1966 phrase “; and” in its place.

1967 (C) A new subparagraph (E) is added to read as follows:

1968 “(E) For the June 2, 2020, Primary Election and the June 16, 2020, Ward 2
1969 Special Election, regularly promote the Board’s revised plans for those elections on the voter
1970 registration agencies’ social media platforms, including by providing information about how to
1971 register to vote and vote by mail.”.

1972 (2) Subsection (h) is amended by adding a new paragraph (4) to read as follows:

1973 “(4) The provisions of this subsection shall not apply to the June 2, 2020, Primary
1974 Election and the June 16, 2020 Ward 2 Special Election.”.

1975 Sec. 506. Absentee ballot request signature waiver.

1976 Section 720.7(h) of Title 3 of the District of Columbia Municipal Regulations (3 DCMR
1977 § 720.7(h)) is amended by striking the phrase “Voter’s signature” and inserting the phrase

1978 “Except for a request for an absentee ballot for the June 2, 2020, Primary Election or the June 16,
1979 2020, Ward 2 Special Election, voter’s signature” in its place.

1980 Sec. 507. Board of Elections stipends.

1981 Section 1108(c-1)(10) of the District of Columbia Government Comprehensive Merit
1982 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-
1983 611.08(c-1)(10)), is amended by striking the phrase “Chairperson per year” and inserting the
1984 phrase “Chairperson per year; provided, that for the remainder of 2020 following the effective
1985 date of the COVID-19 Response Supplemental Emergency Amendment Act of 2020, passed on
1986 emergency basis on April 7, 2020 (Enrolled version of Bill 23-X), District of Columbia Board of
1987 Elections members shall be entitled to compensation at the hourly rate of \$40 while actually in
1988 the service of the board, not to exceed \$25,000 for each member per year and \$53,000 for the
1989 Chairperson per year” in its place.

1990 Sec. 508. Administrative hearings deadline tolling.

1991 Notwithstanding any provision of District law, but subject to applicable federal laws and
1992 regulations, during a period time for which the Mayor has declared a public health emergency
1993 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
1994 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7- 2304.01), the 90-day time period to
1995 request a hearing shall be tolled:

1996 (a) To review an adverse action by the Mayor concerning any new application for public
1997 assistance or any application or request for a change in the amount, kind or conditions of public
1998 assistance, or a decision by the Mayor to terminate, reduce, or change the amount, kind, or
1999 conditions of public assistance benefits or to take other action adverse to the recipient pursuant to
2000 section 1009 of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982
2001 (D.C. Law 4-101; D.C. Official Code § 4-210.09); or

2002 (b) To appeal an adverse decision listed in Section 26(b) of the Homeless Services
2003 Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-
2004 754.41(b)).

2005 Sec. 509. Approval of Mayoral nominations.

2006 Consistent with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C.
2007 Law 2-142; D.C. Official Code § 1-523.01), the Council of the District of Columbia confirms the
2008 appointments and reappointments of:

2009 (1) Dr. Roger A. Mitchell, Jr. as the Chief Medical Examiner of the Office of the
2010 Chief Medical Examiner for a term to end June 3, 2026, transmitted by the Mayor to the Council
2011 for confirmation on February 6, 2020;

2012 (2) Ms. Deborah Evans-Bailey as a community member who is not a District
2013 government employee to the Violence Fatality Review Committee for a term to end October 12,
2014 2023, transmitted by the Mayor to the Council for confirmation on February 24, 2020;

2015 (3) Dr. Erin Hall as a representative from a hospital in the District member to the
2016 Violence Fatality Review Committee for a term to end October 12, 2023, transmitted by the
2017 Mayor to the Council for confirmation on February 24, 2020;

2018 (4) Dr. Michael Eric Dyson as a member with a background in victim's rights to
2019 the Clemency Board, for a term to end four years after the date of confirmation, transmitted by
2020 the Mayor to the Council for confirmation on February 24, 2020;

2021 (5) Mr. George Schutter as the Chief Procurement Officer of the Office of
2022 Contracting and Procurement for a term to end July 14, 2025, transmitted by the Mayor to the
2023 Council for confirmation on February 14, 2020;

2024 (6) Ms. Olivia Elder as a public member of the Commission on Re-Entry and
2025 Returning Citizens Affairs, replacing Nicole Porter, for a term to end August 4, 2022, transmitted
2026 by the Mayor to the Council for confirmation on February 26, 2020;

2027 (7) Mr. Dominic Henry as a public member of the Commission on Re-Entry and
2028 Returning Citizens Affairs, replacing Tanisha Murden, for a term to end August 4, 2022,
2029 transmitted by the Mayor to the Council for confirmation on February 26, 2020;

2030 (8) Mr. Taurus Phillips of the Commission on Re-Entry and Returning Citizens
2031 Affairs, replacing Eric Weaver, for a term to end August 4, 2022, transmitted by the Mayor to
2032 the Council for confirmation on February 26, 2020;

2033 (9) Mr. Corwin Knight as a public member of the Commission on Re-Entry and
2034 Returning Citizens Affairs, for a term to end August 4, 2022, transmitted by the Mayor to the
2035 Council for confirmation on February 26, 2020;

2036 (10) Mr. Clarence Johnson as a public member of the Commission on Re-Entry
2037 and Returning Citizens Affairs, for a term to end August 4, 2022, transmitted by the Mayor to the
2038 Council for confirmation on February 26, 2020;

2039 (11) Mr. Christopher Bradshaw as a voting member of the Food Policy Council,
2040 for a term to end March 1, 2023, transmitted by the Mayor to the Council for confirmation on
2041 March 9, 2020;

2042 (12) Mrs. Dalila Boclin as a voting member of the Food Policy Council, for a
2043 term to end March 1, 2021, transmitted by the Mayor to the Council for confirmation on March
2044 9, 2020;

2045 (13) Mr. Ronnie Webb as a voting member of the Food Policy Council, for a term
2046 to end March 1, 2023, transmitted by the Mayor to the Council for confirmation on February 11,
2047 2020;

2048 (14) Mr. Edwin H. Dugas as a part-time commissioner of the Real Property Tax
2049 Appeals Commission, for a term to end April 30, 2024, transmitted by the Mayor to the Council
2050 for confirmation on February 11, 2020.

2051 (15) Mr. Ronald Hudson as a part-time commissioner of the Real Property Tax
2052 Appeals Commission, replacing Donald Isaac, Jr., for a term to end April 30, 2022, transmitted
2053 by the Mayor to the Council for confirmation on February 11, 2020.

2054 (16) Ms. Lauren Pair as Rent Administrator, for a term to end June 27, 2023,
2055 transmitted by the Mayor to the Council for confirmation on February 19, 2020.

2056 (17) Mr. Daniel W. Lucas as the Inspector General of the Office of the Inspector
2057 General, for a term to end May 19, 2026, transmitted by the Mayor to the Council for
2058 confirmation on February 6, 2020.

2059 (18) Ms. Monte Monash as a member of the Board of Library Trustees for a term
2060 to end January 5, 2025, transmitted by the Mayor to the Council for confirmation on February
2061 19, 2020.

2062 (19) Mr. James Sandman as a member of the Public Charter School Board for a
2063 term to end February 24, 2024, transmitted by the Mayor to the Council for confirmation on
2064 January 17, 2020.

2065 (20) Ms. Johanna Shreve as Chief Tenant Advocate of the Office of the Tenant
2066 Advocate for a term to end June 3, 2023, transmitted by the Mayor to the Council for
2067 confirmation on February 26, 2020.

2068 **TITLE VI. BORROWING AUTHORITY**

2069 **TITLE VI. BORROWING AUTHORITY**

2070 **SUBTITLE A. GENERAL OBLIGATION NOTES**

2071 Sec. 601. This subtitle may be cited as the “Fiscal Year 2020 General Obligation Notes
2072 Emergency Act of 2020”.

2073 Sec. 602. Definitions.

2074 For the purposes of this subtitle, the term:

2075 (1) “Additional Notes” means District general obligation notes described in
2076 section 609 that may be issued pursuant to section 471 of the Home Rule Act (D.C. Official
2077 Code § 1-204.71), and that will mature on or before September 30, 2021, on a parity with the
2078 notes.

2079 (2) “Authorized delegate” means the City Administrator, the Chief Financial
2080 Officer, or the Treasurer to whom the Mayor has delegated any of the Mayor’s functions under
2081 this subtitle pursuant to section 422(6) of the Home Rule Act (D.C. Official Code § 1-204.22(6)).

2082 (3) “Available funds” means District funds required to be deposited with the
2083 Escrow Agent, receipts, and other District funds that are not otherwise legally committed.

2084 (4) “Bond Counsel” means a firm or firms of attorneys designated
2085 as bond counsel or co-bond counsel from time to time by the Chief Financial Officer.

2086 (5) “Chief Financial Officer” means the Chief Financial Officer established
2087 pursuant to section 424(a)(1) of the Home Rule Act (D.C. Official Code § 1-204.24a(a)).

2088 (6) "City Administrator" means the City Administrator established pursuant to
2089 section 422(7) of the Home Rule Act (D.C. Official Code § 1-204.22(7)).

2090 (7) "Council" means the Council of the District of Columbia.

2091 (8) "District" means the District of Columbia.

2092 (9) "Escrow Agent" means any bank, trust company, or national banking
2093 association with requisite trust powers designated to serve in this capacity by the Chief Financial
2094 Officer.

2095 (10) "Escrow Agreement" means the escrow agreement between the District and
2096 the Escrow Agent authorized in section 607.

2097 (11) "Home Rule Act" means the District of Columbia Home Rule Act, approved
2098 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

2099 (12) "Mayor" means the Mayor of the District of Columbia.

2100 (13) "Notes" means one or more series of District general obligation notes
2101 authorized to be issued pursuant to this subtitle.

2102 (14) "Receipts" means all funds received by the District from any source,
2103 including, but not limited to, taxes, fees, charges, miscellaneous receipts, and any moneys
2104 advanced, loaned, or otherwise provided to the District by the United States Treasury, less funds
2105 that are pledged to debt or other obligations according to section 609 or that are restricted by law
2106 to uses other than payment of principal of, and interest on, the notes.

2107 (15) “Secretary” means the Secretary of the District of Columbia.

2108 (16) “Treasurer” means the District of Columbia Treasurer established pursuant to
2109 section 424(a)(3)(E) of the Home Rule Act (D.C. Official Code § 1-204.24a(c)(5)).

2110 Sec. 603. Findings.

2111 The Council finds that:

2112 (1) Under section 471 of the Home Rule Act (D.C. Official Code § 1-204.71),
2113 the Council may authorize, by act, the issuance of general obligation notes for a fiscal year to
2114 meet appropriations for that fiscal year.

2115 (2) Under section 482 of the Home Rule Act (D.C. Official Code § 1-204.82),
2116 the full faith and credit of the District is pledged for the payment of the principal of, and interest
2117 on, any general obligation note.

2118 (3) Under section 483 of the Home Rule Act (D.C. Official Code § 1-204.83),
2119 the Council is required to provide in the annual budget sufficient funds to pay the principal of,
2120 and interest on, all general obligation notes becoming due and payable during that fiscal year,
2121 and the Mayor is required to ensure that the principal of, and interest on, all general obligation
2122 notes is paid when due, including by paying the principal and interest from funds not otherwise
2123 legally committed.

2124 (4) The issuance of general obligation notes in a sum not to exceed
2125 \$300,000,000 is in the public interest.

2126 Sec. 604. Note authorization.

2127 (a) The District is authorized to incur indebtedness, for operating or capital expenses, by
2128 issuing the notes pursuant to sections 471 and 482 of the Home Rule Act (D.C. Official Code §§
2129 1-204.71 and 1-204.82), in one or more series, in a sum not to exceed \$300,000,000, to meet
2130 appropriations for the fiscal year ending September 30, 2020.

2131 (b) The Chief Financial Officer is authorized to pay from the proceeds of the notes the
2132 costs and expenses of issuing and delivering the notes, including, but not limited to,
2133 underwriting, legal, accounting, financial advisory, note insurance or other credit enhancement,
2134 marketing and selling the notes, interest or credit fees, and printing costs and expenses.

2135 Sec. 605. Note details.

2136 (a) The notes shall be known as “District of Columbia Fiscal Year 2020 General
2137 Obligation Notes” and shall be due and payable, as to both principal and interest, on or before
2138 September 30, 2021.

2139 (b) The Chief Financial Officer is authorized to take any action necessary or appropriate
2140 in accordance with this subtitle in connection with the preparation, execution, issuance, sale,
2141 delivery, security for, and payment of the notes, including, but not limited to, determinations of:

2142 (1) The final form, content, designation, and terms of the notes, including
2143 any redemptions applicable thereto and a determination that the notes may be issued in book-
2144 entry form;

- 2145 (2) Provisions for the transfer and exchange of the notes;
- 2146 (3) The principal amount of the notes to be issued;
- 2147 (4) The rate or rates of interest or the method of determining the rate or rates of
- 2148 interest on the notes; provided, that the interest rate or rates borne by the notes of any series shall
- 2149 not exceed in the aggregate 10% per year calculated on the basis of a 365-day year (actual days
- 2150 elapsed); provided, further, that if the notes are not paid at maturity, the notes may provide for an
- 2151 interest rate or rates after maturity not to exceed in the aggregate 15% per year calculated on the
- 2152 basis of a 365-day year (actual days elapsed);
- 2153 (5) The date or dates of issuance, sale, and delivery of the notes;
- 2154 (6) The place or places of payment of principal of, and interest on, the notes;
- 2155 (7) The designation of a registrar, if appropriate, for any series of the notes, and
- 2156 the execution and delivery of any necessary agreements relating to the designation;
- 2157 (8) The designation of paying agent(s) or escrow agent(s) for any series of the
- 2158 notes, and the execution and delivery of any necessary agreements relating to such designations;
- 2159 and
- 2160 (9) Provisions concerning the replacement of mutilated, lost, stolen or destroyed
- 2161 notes.
- 2162 (c) The notes shall be executed in the name of the District and on its behalf by the
- 2163 signature, manual or facsimile, of the Mayor or an authorized delegate. The official seal of the

2164 District or a facsimile of it shall be impressed, printed, or otherwise reproduced on the notes. If a
2165 registrar is designated, the registrar shall authenticate each note by manual signature and
2166 maintain the books of registration for the payment of the principal of and interest on the notes
2167 and perform other ministerial responsibilities as specifically provided in its designation as
2168 registrar.

2169 (d) The notes may be issued at any time or from time to time in one or more
2170 issues and in one or more series.

2171 Sec. 606. Sale of the notes.

2172 (a) The notes of any series shall be sold at negotiated sale pursuant to a purchase contract
2173 or at competitive sale pursuant to a bid form. The purchase contract or bid form shall contain the
2174 terms that the Chief Financial Officer considers necessary or appropriate to carry out the
2175 purposes of this subtitle. The Chief Financial Officer's execution and delivery of the purchase
2176 contract or bid form shall constitute conclusive evidence of the Chief Financial Officer's
2177 approval, on behalf of the District, of the final form and content of the notes. The Chief Financial
2178 Officer shall deliver the notes, on behalf of the District, to the purchasers upon receiving the
2179 purchase price provided in the purchase contract or bid form.

2180 (b) The Chief Financial Officer may execute, in connection with each sale of the notes,
2181 an offering document on behalf of the District, and may authorize the document's distribution in
2182 relation to the notes being sold.

2183 (c) The Chief Financial Officer shall take actions and execute and deliver agreements,
2184 documents, and instruments (including any amendment of or supplement to any such agreement,
2185 document, or instrument) in connection with any series of notes as required by or incidental to:

2186 (1) The issuance of the notes;

2187 (2) The establishment or preservation of the exclusion from gross income for
2188 federal income tax purposes of interest on the notes, if issued tax-exempt, and the exemption
2189 from District income taxation of interest on the notes (except estate, inheritance, and gift taxes);

2190 (3) The performance of any covenant contained in this subtitle, in any
2191 purchase contract for the notes, or in any escrow or other agreement for the security thereof;

2192 (4) The provision for securing the repayment of the notes by a letter or line of
2193 credit or other form of credit enhancement, and the repayment of advances under any such credit
2194 enhancement, including the evidencing of such a repayment obligation with a negotiable
2195 instrument with such terms as the Chief Financial Officer shall determine; or

2196 (5) The execution, delivery, and performance of the Escrow Agreement, a
2197 purchase contract, or a bid form for the notes, a paying agent agreement, or an agreement
2198 relating to credit enhancement, if any, including any amendments of any of these agreements,
2199 documents, or instruments.

2200 (d) The notes shall not be issued until the Chief Financial Officer receives an approving
2201 opinion of Bond Counsel as to the validity of the notes and the exemption from the District

2202 income taxation of the interest on the notes (except estate, inheritance and gift taxes) and, if
2203 issued tax-exempt, the establishment or preservation of the exclusion from gross income for
2204 federal income tax purposes of the interest on the notes. .

2205 (e) The Chief Financial Officer shall execute a note issuance certificate evidencing the
2206 determinations and other actions taken by the Chief Financial Officer for each issue or series of
2207 the notes issued and shall designate in the note issuance certificate the date of the notes, the
2208 series designation, the aggregate principal amount to be issued, the authorized denominations of
2209 the notes, the sale price, and the interest rate or rates on the notes. The certificate shall be
2210 delivered at the time of delivery of the notes and shall be conclusive evidence of the actions
2211 taken as stated in the certificate. A copy of the certificates shall be filed with the Secretary to the
2212 Council not more than 3 days after the delivery of the notes covered by the certificate.

2213 Sec. 607. Payment and security.

2214 (a) The full faith and credit of the District is pledged for the payment of the principal of,
2215 and interest on, the notes as they become due and payable through required sinking fund
2216 payments, redemptions, or otherwise.

2217 (b) The Council shall, in the full exercise of the authority granted in section 483 of the
2218 Home Rule Act (D.C. Official Code § 1-204.83) and under any other law, provide in each annual
2219 budget for a fiscal year of the District sufficient funds to pay the principal of, and interest on, the
2220 notes becoming due and payable for any reason during that fiscal year.

2221 (c) The Mayor shall, in the full exercise of the authority granted to the Mayor under the
2222 Home Rule Act and under any other law, take such actions as may be necessary or appropriate to
2223 ensure that the principal of, and interest on, the notes are paid when due for any reason, including
2224 the payment of principal and interest from any funds or accounts of the District not otherwise
2225 legally committed.

2226 (d) The notes shall evidence continuing obligations of the District until paid in
2227 accordance with their terms.

2228 (e) The funds for the payment of the notes as described in this subtitle shall be
2229 irrevocably deposited with the Escrow Agent pursuant to the Escrow Agreement. The funds shall
2230 be used for the payment of the principal of, and interest on, the notes when due, and shall not be
2231 used for other purposes so long as the notes are outstanding and unpaid.

2232 (f) The Chief Financial Officer may, without regard to any act or resolution of the
2233 Council now existing or adopted after the effective date of this subtitle, designate an Escrow
2234 Agent under the Escrow Agreement. The Chief Financial Officer may execute and deliver the
2235 Escrow Agreement, on behalf of the District and in the Chief Financial Officer's official
2236 capacity, containing the terms that the Chief Financial Officer considers necessary or appropriate
2237 to carry out the purposes of this subtitle. A special account entitled "Special Escrow for Payment
2238 of District of Columbia Fiscal Year 2020 General Obligation Notes" is created and shall be
2239 maintained by the Escrow Agent for the benefit of the owners of the notes as stated in the

2240 Escrow Agreement. Funds on deposit, including investment income, under the Escrow
2241 Agreement shall not be used for any purposes except for payment of the notes or, to the extent
2242 permitted by the Home Rule Act, to service any contract or other arrangement permitted under
2243 subsections (k) or (l) of this section, and may be invested only as provided in the Escrow
2244 Agreement.

2245 (g) Upon the sale and delivery of the notes, the Chief Financial Officer shall deposit with
2246 the Escrow Agent to be held and maintained as provided in the Escrow Agreement all accrued
2247 interest and premium, if any, received upon the sale of the notes.

2248 (h) The Chief Financial Officer shall set aside and deposit with the Escrow Agent funds
2249 in accordance with the Escrow Agreement at the time and in the amount as provided in the
2250 Escrow Agreement.

2251 (i) There are provided and approved for expenditure sums as may be necessary
2252 for making payments of the principal of, and interest on, the notes, and the provisions of the
2253 Fiscal Year 2020 Local Budget Act and Fiscal Year 2021 Local Budget Act, if enacted prior to
2254 the effective date of this subtitle, relating to borrowings are amended and supplemented
2255 accordingly by this section, as contemplated in section 483 of the Home Rule Act (D.C. Official
2256 Code § 1-204.83).

2257 (j) The notes shall be payable, as to both principal and interest, in lawful money of the
2258 United States of America in immediately available or same day funds at a bank or trust company

2259 acting as paying agent, and at not more than 2 co-paying agents that may be located outside the
2260 District. All of the paying agents shall be qualified to act as paying agents under the laws of the
2261 United States of America, of the District, or of the state in which they are located, and shall be
2262 designated by the Chief Financial Officer without regard to any other act or resolution of the
2263 Council now existing or adopted after the effective date of this subtitle.

2264 (k) In addition to the security available for the holders of the notes, the Chief Financial
2265 Officer is hereby authorized to enter into agreements, including any agreement calling for
2266 payments in excess of \$1 million during fiscal year 2020, with a bank or other financial
2267 institution to provide a letter of credit, line of credit, or other form of credit enhancement to
2268 secure repayment of the notes when due. The obligation of the District to reimburse the bank or
2269 financial institution for any advances made under any such credit enhancement shall be a general
2270 obligation of the District until repaid and shall accrue interest at the rate of interest established by
2271 the Chief Financial Officer not in excess of 20% per year until paid.

2272 (l) The Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-
2273 371; D.C. Official Code § 2-351.01 *et seq.*), and the Financial Institutions Deposit and
2274 Investment Amendment Act of 1997, effective March 18, 1998 (D.C. Law 12-56; D.C. Official
2275 Code § 47-351.01 *et seq.*), shall not apply to any contract which the Chief Financial Officer may
2276 from time to time determine to be necessary or appropriate to place, in whole or in part,
2277 including:

- 2278 (1) An investment or obligation of the District as represented by the notes;
- 2279 (2) An investment or obligation or program of investment; or
- 2280 (3) A contract or contracts based on the interest rate, currency, cash flow, or other
- 2281 basis as the Chief Financial Officer may desire, including, without limitation, interest rate swap
- 2282 agreements; currency swap agreements; insurance agreements; forward payment conversion
- 2283 agreements; futures; contracts providing for payments based on levels of, or changes in, interest
- 2284 rates, currency exchange rates, or stock or other indices; contracts to exchange cash flows or a
- 2285 series of payments; and contracts to hedge payment, currency, rate, spread, or similar exposure,
- 2286 including, without limitation, interest rate floors, or caps, options, puts, and calls. The contracts
- 2287 or other arrangements also may be entered into by the District in connection with, or incidental
- 2288 to, entering into or maintaining any agreement that secures the notes. The contracts or other
- 2289 arrangements shall contain whatever payment, security, terms, and conditions as the Chief
- 2290 Financial Officer may consider appropriate and shall be entered into with whatever party or
- 2291 parties the Chief Financial Officer may select, after giving due consideration, where applicable,
- 2292 to the creditworthiness of the counterparty or counterparties including any rating by a nationally
- 2293 recognized rating agency or any other criteria as may be appropriate. In connection with, or
- 2294 incidental to, the issuance or holding of the notes, or entering into any contract or other
- 2295 arrangement referred to in this section, the District may enter into credit enhancement or
- 2296 liquidity agreements, with payment, interest rate, termination date, currency, security, default,

2297 remedy, and any other terms and conditions as the Chief Financial Officer determines. Proceeds
2298 of the notes and any money set aside for payment of the notes or of any contract or other
2299 arrangement entered into pursuant to this section may be used to service any contract or other
2300 arrangement entered into pursuant to this section.

2301 Sec. 608. Defeasance.

2302 (a) The notes shall no longer be considered outstanding and unpaid for the purpose of this
2303 subtitle and the Escrow Agreement, and the requirements of this subtitle and the Escrow
2304 Agreement shall be deemed discharged with respect to the notes, if the Chief Financial Officer:

2305 (1) Deposits with an Escrow Agent, herein referred to as the “defeasance escrow
2306 agent,” in a separate defeasance escrow account, established and maintained by the Escrow
2307 Agent solely at the expense of the District and held in trust for the note owners, sufficient
2308 moneys or direct obligations of the United States, the principal of and interest on which, when
2309 due and payable, will provide sufficient moneys to pay when due the principal of, and interest
2310 payable at maturity on, all the notes; and

2311 (2) Delivers to the defeasance escrow agent an irrevocable letter of instruction to
2312 apply the moneys or proceeds of the investments to the payment of the notes at their maturity.

2313 (b) The defeasance escrow agent shall not invest the defeasance escrow account in any
2314 investment callable at the option of its issuer if the call could result in less-than-sufficient
2315 moneys being available for the purposes required by this section.

2316 (c) The moneys and direct obligations referred to in subsection (a)(1) of this section may
2317 include moneys or direct obligations of the United States of America held under the Escrow
2318 Agreement and transferred, at the written direction of the Chief Financial Officer, to the
2319 defeasance escrow account.

2320 (d) The defeasance escrow account specified in subsection (a) of this section may be
2321 established and maintained without regard to any limitations placed on these accounts by any act
2322 or resolution of the Council now existing or adopted after this subtitle becomes effective, except
2323 for this subtitle.

2324 Sec. 609. Additional debt and other obligations.

2325 (a) The District reserves the right at any time to: borrow money or enter into
2326 other obligations to the full extent permitted by law; secure the borrowings or obligations by the
2327 pledge of its full faith and credit; secure the borrowings or obligations by any other security and
2328 pledges of funds as may be authorized by law; and issue bonds, notes, including Additional
2329 Notes, or other instruments to evidence the borrowings or obligations.

2330 (b)(1) The District may issue Additional Notes pursuant to section 471 of the Home Rule
2331 Act (D.C. Official Code § 1-204.71) that shall mature on or before September 30, 2021, and the
2332 District shall covenant to set aside and deposit under the Escrow Agreement, receipts and other
2333 available funds for payment of the principal of, and the interest on, the Additional Notes issued

2334 pursuant to section 471 of the Home Rule Act (D.C. Official Code § 1-204.71) on a parity basis
2335 with the notes.

2336 (2) The receipts and available funds referred to in subsection (a) of this section
2337 shall be separate from the special taxes or charges levied pursuant to section 481(a) of the Home
2338 Rule Act (D.C. Official Code § 1-204.81(a)), and taxes, if any, dedicated to particular purposes
2339 pursuant to section 490 of the Home Rule Act (D.C. Official Code § 1-204.90).

2340 (3) Any covenants relating to any Additional Notes shall have equal standing and
2341 be on a parity with the covenants made for payment of the principal of, and the interest on, the
2342 notes.

2343 (4) If Additional Notes are issued pursuant to section 471 of the Home Rule Act
2344 (D.C. Official Code § 1-204.71), the provisions of section 607 shall apply to both the notes and
2345 the Additional Notes and increase the amounts required to be set aside and deposited with the
2346 Escrow Agent.

2347 (5) As a condition precedent to the issuance of any Additional Notes, the Chief
2348 Financial Officer shall deliver a signed certificate certifying that the District is in full compliance
2349 with all covenants and obligations under this subtitle and the Escrow Agreement.

2350 Sec. 610. Tax matters.

2351 At the full discretion of the Chief Financial Officer, the notes authorized by this subtitle
2352 may be issued as federally taxable or tax-exempt. If issued as tax-exempt, the Chief Financial

2353 Officer shall take all actions necessary to be taken so that the interest on the notes will not be
2354 includable in gross income for federal income tax purposes.

2355 Sec. 611. Contract.

2356 This subtitle shall constitute a contract between the District and the owners of the notes
2357 authorized by this subtitle. To the extent that any acts or resolutions of the Council may be in
2358 conflict with this subtitle, this subtitle shall be controlling.

2359 Sec. 612. District officials.

2360 (a) The elected or appointed officials, officers, employees, or agents of the District shall
2361 not be liable personally for the payment of the notes or be subject to any personal liability by
2362 reason of the issuance of the notes.

2363 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
2364 any official appearing on the notes shall be valid and sufficient for all purposes, notwithstanding
2365 the fact that the official ceases to be that official before delivery of the notes.

2366 Sec. 613. Authorized delegation of authority.

2367 To the extent permitted by the District and federal laws, the Mayor may delegate to the
2368 City Administrator, the Chief Financial Officer, or the Treasurer the performance of any act
2369 authorized to be performed by the Mayor under this subtitle.

2370 Sec. 614. Maintenance of documents.

2371 Copies of the notes and related documents shall be filed in the Office of the Secretary.

2372 **SUBTITLE B. TRANS NOTES**

2373 Sec. 621. This subtitle may be cited as the “Fiscal Year 2020 Tax Revenue Anticipation
2374 Notes Emergency Act of 2020”

2375 Sec. 622. Definitions.

2376 For the purposes of this subtitle, the term:

2377 (1) “Additional Notes” means District general obligation revenue anticipation
2378 notes described in section 629 that may be issued pursuant to section 472 of the Home Rule Act
2379 (D.C. Official Code § 1-204.72) and that will mature on or before September 30, 2020, on a
2380 parity with the notes.

2381 (2) “Authorized delegate” means the City Administrator, the Chief Financial
2382 Officer, or the Treasurer to whom the Mayor has delegated any of the Mayor’s functions under
2383 this subtitle pursuant to section 422(6) of the Home Rule Act (D.C. Official Code § 1-204.22(6)).

2384 (3) “Available funds” means District funds required to be deposited with the
2385 Escrow Agent, receipts, and other District funds that are not otherwise legally committed.

2386 (4) “Bond Counsel” means a firm or firms of attorneys designated
2387 as bond counsel or co-bond counsel from time to time by the Chief Financial Officer.

2388 (5) “Chief Financial Officer” means the Chief Financial Officer established
2389 pursuant to section 424(a)(1) of the Home Rule Act (D.C. Official Code § 1-204.24a(a)).

2390 (6) "City Administrator" means the City Administrator established pursuant to
2391 section 422(7) of the Home Rule Act (D.C. Official Code § 1-204.22(7)).

2392 (7) "Council" means the Council of the District of Columbia.

2393 (8) "District" means the District of Columbia.

2394 (9) "Escrow Agent" means any bank, trust company, or national banking
2395 association with requisite trust powers designated to serve in this capacity by the Chief Financial
2396 Officer.

2397 (10) "Escrow Agreement" means the escrow agreement between the District and
2398 the Escrow Agent authorized in section 627.

2399 (11) "Home Rule Act" means the District of Columbia Home Rule Act, approved
2400 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*)

2401 (12) "Mayor" means the Mayor of the District of Columbia.

2402 (13) "Notes" means one or more series of District general obligation
2403 revenue anticipation notes authorized to be issued pursuant to this subtitle.

2404 (14) "Receipts" means all funds received by the District from any source,
2405 including, but not limited to, taxes, fees, charges, miscellaneous receipts, and any moneys
2406 advanced, loaned, or otherwise provided to the District by the United States Treasury, less funds
2407 that are pledged to debt or other obligations according to section 629 or that are restricted by law
2408 to uses other than payment of principal of, and interest on, the notes.

2409 (15) “Secretary” means the Secretary of State of the District of Columbia.

2410 (16) “Treasurer” means the District of Columbia Treasurer established pursuant to
2411 section 424(a)(3)(E) of the Home Rule Act (D.C. Official Code § 1-204.24a(c)(5)).

2412 Sec. 623. Findings.

2413 The Council finds that:

2414 (1) Under section 472 of the Home Rule Act (D.C. Official Code § 1-204.72), the
2415 Council may authorize, by act, the issuance of general obligation revenue anticipation notes for a
2416 fiscal year in anticipation of the collection or receipt of revenues for that fiscal year. Section 472
2417 of the Home Rule Act (D.C. Official Code § 1-204.72) provides further that the total amount of
2418 general obligation revenue anticipation notes issued and outstanding at any time during a fiscal
2419 year shall not exceed 20% of the total anticipated revenue of the District for that fiscal year, as
2420 certified by the Mayor pursuant to section 472 of the Home Rule Act (D.C. Official Code § 1-
2421 204.72), as of a date not more than 15 days before each original issuance of the notes.

2422 (2) Under section 482 of the Home Rule Act (D.C. Official Code § 1-204.82), the
2423 full faith and credit of the District is pledged for the payment of the principal of, and interest on,
2424 any general obligation revenue anticipation note.

2425 (3) Under section 483 of the Home Rule Act (D.C. Official Code § 1-204.83), the
2426 Council is required to provide in the annual budget sufficient funds to pay the principal of, and

2427 interest on, all general obligation revenue anticipation notes becoming due and payable during
2428 that fiscal year, and the Mayor is required to ensure that the principal of, and
2429 interest on, all general obligation revenue anticipation notes is paid when due, including by
2430 paying the principal and interest from funds not otherwise legally committed.

2431 (4) The Chief Financial Officer has advised the Council that, based upon the
2432 Chief Financial Officer's projections of anticipated receipts and disbursements during the fiscal
2433 year ending September 30, 2020, it may be necessary for the District to borrow to a sum not to
2434 exceed \$200 million, an amount that does not exceed 20% of the total anticipated revenue of the
2435 District for such fiscal year, and to accomplish the borrowing by issuing general obligation
2436 revenue anticipation notes in one or more series.

2437 (5) The issuance of general obligation revenue anticipation notes in a sum not to
2438 exceed \$200 million is in the public interest.

2439 Sec. 624. Note authorization.

2440 (a) The District is authorized to incur indebtedness by issuing the notes pursuant to
2441 sections 472 and 482 of the Home Rule Act (D.C. Official Code §§ 1-204.72 and 1-204.82), in
2442 one or more series, in a sum not to exceed \$200 million, to finance its general governmental
2443 expenses, including operating or capital expenses, in anticipation of the collection or receipt of
2444 revenues for the fiscal year ending September 30, 2020.

2445 (b) The Chief Financial Officer is authorized to pay from the proceeds of the notes the
2446 costs and expenses of issuing and delivering the notes, including, but not limited to,
2447 underwriting, legal, accounting, financial advisory, note insurance or other credit enhancement,
2448 marketing and selling the notes, interest or credit fees, and printing costs and expenses.

2449 Sec. 625. Note details.

2450 (a) The notes shall be known as “District of Columbia Fiscal Year 2020 General
2451 Obligation Tax Revenue Anticipation Notes” and shall be due and payable, as to both principal
2452 and interest, on or before September 30, 2020.

2453 (b) The Chief Financial Officer is authorized to take any action necessary or appropriate
2454 in accordance with this subtitle in connection with the preparation, execution, issuance, sale,
2455 delivery, security for, and payment of the notes, including, but not limited to, determinations of:

2456 (1) The final form, content, designation, and terms of the notes, including
2457 any redemptions applicable thereto and a determination that the notes may be issued in book-
2458 entry form;

2459 (2) Provisions for the transfer and exchange of the notes;

2460 (3) The principal amount of the notes to be issued;

2461 (4) The rate or rates of interest or the method of determining the rate or rates of
2462 interest on the notes; provided, that the interest rate or rates borne by the notes of any series shall
2463 not exceed in the aggregate 10% per year calculated on the basis of a 365-day year (actual days

2464 elapsed); provided, further, that if the notes are not paid at maturity, the notes may provide for an
2465 interest rate or rates after maturity not to exceed in the aggregate 15% per year calculated on the
2466 basis of a 365-day year (actual days elapsed);

2467 (5) The date or dates of issuance, sale, and delivery of the notes;

2468 (6) The place or places of payment of principal of, and interest on, the notes;

2469 (7) The designation of a registrar, if appropriate, for any series of the notes, and
2470 the execution and delivery of any necessary agreements relating to the designation;

2471 (8) The designation of paying agent(s) or escrow agent(s) for any series of the
2472 notes, and the execution and delivery of any necessary agreements relating to such designations;
2473 and

2474 (9) Provisions concerning the replacement of mutilated, lost, stolen or destroyed
2475 notes.

2476 (c) The notes shall be executed in the name of the District and on its behalf by the manual
2477 or facsimile signature of the Mayor or an authorized delegate. The official seal of the District or
2478 a facsimile of it shall be impressed, printed, or otherwise reproduced on the notes. If a registrar is
2479 designated, the registrar shall authenticate each note by manual signature and maintain the books
2480 of registration for the payment of the principal of and interest on the notes and perform other
2481 ministerial responsibilities as specifically provided in its designation as registrar.

2482 (d) The notes may be issued at any time or from time to time in one or more

2483 issues and in one or more series.

2484 Sec. 626. Sale of the notes.

2485 (a) The notes of any series shall be sold at negotiated sale pursuant to a purchase contract
2486 or at competitive sale pursuant to a bid form. The notes shall be sold at a price not less than par
2487 plus accrued interest from the date of the notes to the date of delivery thereof. The purchase
2488 contract or bid form shall contain the terms that the Chief Financial Officer considers necessary
2489 or appropriate to carry out the purposes of this subtitle. The Chief Financial Officer's execution
2490 and delivery of the purchase contract or bid form shall constitute conclusive evidence of the
2491 Chief Financial Officer's approval, on behalf of the District, of the final form and content of the
2492 notes. The Chief Financial Officer shall deliver the notes, on behalf of the District, to the
2493 purchasers upon receiving the purchase price provided in the purchase contract or bid form.

2494 (b) The Chief Financial Officer may execute, in connection with each sale of the notes,
2495 an offering document on behalf of the District, and may authorize the document's distribution in
2496 relation to the notes being sold.

2497 (c) The Chief Financial Officer shall take actions and execute and deliver agreements,
2498 documents, and instruments (including any amendment of or supplement to any such agreement,
2499 document, or instrument) in connection with any series of notes as required by or incidental to:

2500 (1) The issuance of the notes;

2501 (2) The establishment or preservation of the exclusion from gross income for
2502 federal income tax purposes of interest on the notes, if issued tax-exempt, and the exemption
2503 from District income taxation of interest on the notes (except estate, inheritance, and gift taxes);

2504 (3) The performance of any covenant contained in this subtitle, in any
2505 purchase contract for the notes, or in any escrow or other agreement for the security thereof;

2506 (4) The provision for securing the repayment of the notes by a letter or line of
2507 credit or other form of credit enhancement, and the repayment of advances under any such credit
2508 enhancement, including the evidencing of such a repayment obligation with a negotiable
2509 instrument with such terms as the Chief Financial Officer shall determine; or

2510 (5) The execution, delivery, and performance of the Escrow Agreement, a
2511 purchase contract, or a bid form for the notes, a paying agent agreement, or an agreement
2512 relating to credit enhancement, if any, including any amendments of any of these agreements,
2513 documents, or instruments.

2514 (d) The notes shall not be issued until the Chief Financial Officer receives an approving
2515 opinion of Bond Counsel as to the validity of the notes and the exemption from the District
2516 income taxation of the interest on the notes (except estate, inheritance and gift taxes) and, if
2517 issued tax-exempt, the establishment or preservation of the exclusion from gross income for
2518 federal income tax purposes of the interest on the notes.

2519 (e) The Chief Financial Officer shall execute a note issuance certificate evidencing the
2520 determinations and other actions taken by the Chief Financial Officer for each issue or series of
2521 the notes issued and shall designate in the note issuance certificate the date of the notes, the
2522 series designation, the aggregate principal amount to be issued, the authorized denominations of
2523 the notes, the sale price, and the interest rate or rates on the notes. The Mayor shall certify in a
2524 separate certificate, not more than 15 days before each original issuance of a series, the total
2525 anticipated revenue of the District for the fiscal year ending September 30, 2020, and that the
2526 total amount of all general obligation revenue anticipation notes issued and outstanding at any
2527 time during the fiscal year will not exceed 20% of the total anticipated revenue of the District for
2528 the fiscal year. These certificates shall be delivered at the time of delivery of the notes and shall
2529 be conclusive evidence of the actions taken as stated in the certificates. A copy of each of the
2530 certificates shall be filed with the Secretary to the Council not more than 3 days after the delivery
2531 of the notes covered by the certificates.

2532 Sec. 627. Payment and security.

2533 (a) The full faith and credit of the District is pledged for the payment of the principal of,
2534 and interest on, the notes when due.

2535 (b) The funds for the payment of the notes as described in this subtitle shall be
2536 irrevocably deposited with the Escrow Agent pursuant to the Escrow Agreement. The funds shall

2537 be used for the payment of the principal of, and interest on, the notes when due, and shall not be
2538 used for other purposes so long as the notes are outstanding and unpaid.

2539 (c) The notes shall be payable from available funds of the District, including, but not
2540 limited to, any moneys advanced, loaned, or otherwise provided to the District by the United
2541 States Treasury, and shall evidence continuing obligations of the District until paid in accordance
2542 with their terms.

2543 (d) The Chief Financial Officer may, without regard to any act or resolution of the
2544 Council now existing or adopted after the effective date of this subtitle, designate an Escrow
2545 Agent under the Escrow Agreement. The Chief Financial Officer may execute and deliver the
2546 Escrow Agreement, on behalf of the District and in the Chief Financial Officer's official
2547 capacity, containing the terms that the Chief Financial Officer considers necessary or appropriate
2548 to carry out the purposes of this subtitle. A special account entitled "Special Escrow for Payment
2549 of District of Columbia Fiscal Year 2020 General Obligation Tax Revenue Anticipation Notes"
2550 is created and shall be maintained by the Escrow Agent for the benefit of the owners of the notes
2551 as stated in the Escrow Agreement. Funds on deposit, including investment income, under the
2552 Escrow Agreement shall not be used for any purposes except for payment of the notes or, to the
2553 extent permitted by the Home Rule Act, to service any contract or other arrangement permitted
2554 under subsections (k) or (l) of this section, and may be invested only as provided in the Escrow
2555 Agreement.

2556 (e) Upon the sale and delivery of the notes, the Chief Financial Officer shall deposit with
2557 the Escrow Agent to be held and maintained as provided in the Escrow Agreement all accrued
2558 interest and premium, if any, received upon the sale of the notes.

2559 (f)(1) The Chief Financial Officer shall set aside and deposit with the Escrow Agent
2560 funds in accordance with the Escrow Agreement at the time and in the amount as provided in the
2561 Escrow Agreement.

2562 (2) If Additional Notes are issued pursuant to section 9(b), and if on the date set
2563 forth in the Escrow Agreement, the aggregate amount of principal and interest payable at
2564 maturity on the outstanding notes, including any Additional Notes, less all amounts on deposit,
2565 including investment income, under the Escrow Agreement exceeds 90% of the actual receipts of
2566 District taxes (other than special taxes or charges levied pursuant to section 481(a) of the Home
2567 Rule Act (D.C. Official Code § 1-204.81(a)), and taxes, if any, dedicated to particular purposes
2568 pursuant to section 490 of the Home Rule Act (D.C. Official Code § 1-204.90)), for the period
2569 August 15, 2020, until September 30, 2020, beginning on the date set forth in the Escrow
2570 Agreement, the Chief Financial Officer shall promptly, upon receipt by the District, set aside and
2571 deposit with the Escrow Agent the receipts received by the District after the date set forth in the
2572 Escrow Agreement, until the aggregate amount of principal and interest payable at maturity on
2573 the outstanding notes, including any Additional Notes as described above, is less than 90% of
2574 actual receipts of District taxes (other than special taxes or charges levied pursuant to section

2575 481(a) of the Home Rule Act (D.C. Official Code § 1-204.81(a)), and taxes, if any, dedicated to
2576 particular purposes pursuant to section 490 of the Home Rule Act (D.C. Official Code § 1-
2577 204.90)).

2578 (3) The District covenants that it shall levy, maintain, or enact taxes due and
2579 payable during August 1, 2020, through September 30, 2020, to provide for payment in full of
2580 the principal of, and interest on, the notes when due. The taxes referred to in this paragraph shall
2581 be separate from special taxes or charges levied pursuant to section 481(a) of the Home Rule Act
2582 (D.C. Official Code § 1-204.81(a)), or taxes, if any, dedicated to particular purposes pursuant to
2583 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90).

2584 (g) Before the 16th day of each month, beginning in August 2020, the Chief Financial
2585 Officer shall review the current monthly cash flow projections of the District, and if the Chief
2586 Financial Officer determines that the aggregate amount of principal and interest payable at
2587 maturity on the notes then outstanding, less any amounts and investment income on deposit
2588 under the Escrow Agreement, equals or exceeds 85% of the receipts estimated by the Chief
2589 Financial Officer to be received after such date by the District but before the maturity of the
2590 notes, then the Chief Financial Officer shall promptly, upon receipt by the District, set aside and
2591 deposit with the Escrow Agent the receipts received by the District on and after that date until
2592 the aggregate amount, including investment income, on deposit with the Escrow Agent equals or

2593 exceeds 100% of the aggregate amount of principal of and interest on the notes payable at their
2594 maturity.

2595 (h) The Chief Financial Officer shall, in the full exercise of the authority granted the
2596 Chief Financial Officer under the Home Rule Act and under any other law, take actions as may
2597 be necessary or appropriate to ensure that the principal of and interest on the notes are paid when
2598 due, including, but not limited to, seeking an advance or loan of moneys from the United States
2599 Treasury if available under then current law. This action shall include, without limitation, the
2600 deposit of available funds with the Escrow Agent as may be required under section 483 of the
2601 Home Rule Act (D.C. Official Code § 1-204.83), this subtitle, and the Escrow Agreement.
2602 Without limiting any obligations under this subtitle or the Escrow Agreement, the Chief
2603 Financial Officer reserves the right to deposit available funds with the Escrow Agent at his or her
2604 discretion.

2605 (i) There are provided and approved for expenditure sums as may be necessary
2606 for making payments of the principal of, and interest on, the notes, and the provisions of the
2607 Fiscal Year 2020 Local Budget Act, if enacted prior to the effective date of this subtitle, relating
2608 to borrowings are amended and supplemented accordingly by this section, as contemplated in
2609 section 483 of the Home Rule Act (D.C. Official Code § 1-204.83)).

2610 (j) The notes shall be payable, as to both principal and interest, in lawful money of the
2611 United States of America in immediately available or same day funds at a bank or trust company

2612 acting as paying agent, and at not more than 2 co-paying agents that may be located outside the
2613 District. All of the paying agents shall be qualified to act as paying agents under the laws of the
2614 United States of America, of the District, or of the state in which they are located, and shall be
2615 designated by the Chief Financial Officer without regard to any other act or resolution of the
2616 Council now existing or adopted after the effective date of this subtitle.

2617 (k) In addition to the security available for the holders of the notes, the Chief Financial
2618 Officer is hereby authorized to enter into agreements, including any agreement calling for
2619 payments in excess of \$1 million during fiscal year 2020, with a bank or other financial
2620 institution to provide a letter of credit, line of credit, or other form of credit enhancement to
2621 secure repayment of the notes when due. The obligation of the District to reimburse the bank or
2622 financial institution for any advances made under any such credit enhancement shall be a general
2623 obligation of the District until repaid and shall accrue interest at the rate of interest established by
2624 the Chief Financial Officer not in excess of 15% per year until paid.

2625 (l) The Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-
2626 371; D.C. Official Code § 2-351.01 *et seq.*), and the Financial Institutions Deposit and
2627 Investment Amendment Act of 1997, effective March 18, 1998 (D.C. Law 12-56; D.C. Official
2628 Code § 47-351.01 *et seq.*), shall not apply to any contract which the Chief Financial Officer may
2629 from time to time determine to be necessary or appropriate to place, in whole or in part,
2630 including:

- 2631 (1) An investment or obligation of the District as represented by the notes;
- 2632 (2) An investment or obligation or program of investment; or
- 2633 (3) A contract or contracts based on the interest rate, currency, cash flow, or other
- 2634 basis as the Chief Financial Officer may desire, including, without limitation, interest rate swap
- 2635 agreements; currency swap agreements; insurance agreements; forward payment conversion
- 2636 agreements; futures; contracts providing for payments based on levels of, or changes in, interest
- 2637 rates, currency exchange rates, or stock or other indices; contracts to exchange cash flows or a
- 2638 series of payments; and contracts to hedge payment, currency, rate, spread, or similar exposure,
- 2639 including, without limitation, interest rate floors, or caps, options, puts, and calls. The contracts
- 2640 or other arrangements also may be entered into by the District in connection with, or incidental
- 2641 to, entering into or maintaining any agreement that secures the notes. The contracts or other
- 2642 arrangements shall contain whatever payment, security, terms, and conditions as the Chief
- 2643 Financial Officer may consider appropriate and shall be entered into with whatever party or
- 2644 parties the Chief Financial Officer may select, after giving due consideration, where applicable,
- 2645 to the creditworthiness of the counterparty or counterparties including any rating by a nationally
- 2646 recognized rating agency or any other criteria as may be appropriate. In connection with, or
- 2647 incidental to, the issuance or holding of the notes, or entering into any contract or other
- 2648 arrangement referred to in this section, the District may enter into credit enhancement or
- 2649 liquidity agreements, with payment, interest rate, termination date, currency, security, default,

2650 remedy, and any other terms and conditions as the Chief Financial Officer determines. Proceeds
2651 of the notes and any money set aside for payment of the notes or of any contract or other
2652 arrangement entered into pursuant to this section may be used to service any contract or other
2653 arrangement entered into pursuant to this section.

2654 Sec. 628. Defeasance.

2655 (a) The notes shall no longer be considered outstanding and unpaid for the purpose of this
2656 subtitle and the Escrow Agreement, and the requirements of this subtitle and the Escrow
2657 Agreement shall be deemed discharged with respect to the notes, if the Chief Financial Officer:

2658 (1) Deposits with an Escrow Agent, herein referred to as the “defeasance escrow
2659 agent,” in a separate defeasance escrow account, established and maintained by the Escrow
2660 Agent solely at the expense of the District and held in trust for the note owners, sufficient
2661 moneys or direct obligations of the United States, the principal of and interest on which, when
2662 due and payable, will provide sufficient moneys to pay when due the principal of, and interest
2663 payable at maturity on, all the notes; and

2664 (2) Delivers to the defeasance escrow agent an irrevocable letter of instruction to
2665 apply the moneys or proceeds of the investments to the payment of the notes at their maturity.

2666 (b) The defeasance escrow agent shall not invest the defeasance escrow account in any
2667 investment callable at the option of its issuer if the call could result in less than sufficient moneys
2668 being available for the purposes required by this section.

2669 (c) The moneys and direct obligations referred to in subsection (a)(1) of this section may
2670 include moneys or direct obligations of the United States of America held under the Escrow
2671 Agreement and transferred, at the written direction of the Chief Financial Officer, to the
2672 defeasance escrow account.

2673 (d) The defeasance escrow account specified in subsection (a) of this section may be
2674 established and maintained without regard to any limitations placed on these accounts by any act
2675 or resolution of the Council now existing or adopted after this subtitle becomes effective, except
2676 for this subtitle.

2677 Sec. 629. Additional debt and other obligations.

2678 (a) The District reserves the right at any time to: borrow money or enter into
2679 other obligations to the full extent permitted by law; secure the borrowings or obligations by the
2680 pledge of its full faith and credit; secure the borrowings or obligations by any other security and
2681 pledges of funds as may be authorized by law; and issue bonds, notes, including Additional
2682 Notes, or other instruments to evidence the borrowings or obligations.

2683 (b) (1) The District may issue Additional Notes pursuant to section 472 of the Home Rule
2684 Act (D.C. Official Code § 1-204.72) that shall mature on or before September 30, 2020, and the
2685 District shall covenant to set aside and deposit under the Escrow Agreement, receipts and other
2686 available funds for payment of the principal of, and the interest on, the Additional Notes issued

2687 pursuant to section 472 of the Home Rule Act (D.C. Official Code § 1-204.72) on a parity basis
2688 with the notes.

2689 (2) The receipts and available funds referred to in subsection (a) of this section
2690 shall be separate from the special taxes or charges levied pursuant to section 481(a) of the Home
2691 Rule Act (D.C. Official Code § 1-204.81(a)), and taxes, if any, dedicated to particular purposes
2692 pursuant to section 490 of the Home Rule Act (D.C. Official Code § 1-204.90).

2693 (3) Any covenants relating to any Additional Notes shall have equal standing and
2694 be on a parity with the covenants made for payment of the principal of, and the interest on, the
2695 notes.

2696 (4) If Additional Notes are issued pursuant to section 472 of the Home Rule Act
2697 (D.C. Official Code § 1-204.72), the provisions of section 627 shall apply to both the notes and
2698 the Additional Notes and increase the amounts required to be set aside and deposited with the
2699 Escrow Agent.

2700 (5) As a condition precedent to the issuance of any Additional Notes, the Chief
2701 Financial Officer shall deliver a signed certificate certifying that the District is in full compliance
2702 with all covenants and obligations under this subtitle and the Escrow Agreement, that no set-
2703 aside and deposit of receipts pursuant to section 627(g) applied as of the date of issuance is
2704 required, and that no set-aside and deposit will be required under section 627(g) applied
2705 immediately after the issuance.

2706 Sec. 630. Tax matters.

2707 At the full discretion of the Chief Financial Officer, the notes authorized by this subtitle
2708 may be issued as federally taxable or tax-exempt. If issued as tax-exempt, the Chief Financial
2709 Officer shall take all actions necessary to be taken so that the interest on the notes will not be
2710 includable in gross income for federal income tax purposes.

2711 Sec. 631. Contract.

2712 This subtitle shall constitute a contract between the District and the owners of the notes
2713 authorized by this subtitle. To the extent that any acts or resolutions of the Council may be in
2714 conflict with this subtitle, this subtitle shall be controlling.

2715 Sec. 632. District officials.

2716 (a) The elected or appointed officials, officers, employees, or agents of the District shall
2717 not be liable personally for the payment of the notes or be subject to any personal liability by
2718 reason of the issuance of the notes.

2719 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
2720 any official appearing on the notes shall be valid and sufficient for all purposes, notwithstanding
2721 the fact that the official ceases to be that official before delivery of the notes.

2722 Sec. 633. Authorized delegation of authority.

2723 To the extent permitted by the District and federal laws, the Mayor may delegate to the
2724 City Administrator, the Chief Financial Officer, or the Treasurer the performance of any act
2725 authorized to be performed by the Mayor under this subtitle.

2726 Sec. 634. Maintenance of documents.

2727 Copies of the notes and related documents shall be filed in the Office of the Secretary.

2728 **TITLE VII. REVENUE BONDS**

2729 **SUBTITLE A. STUDIO THEATER, INC.**

2730 Sec. 701. This subtitle may be cited as the “The Studio Theatre, Inc. Revenue Bonds
2731 Project Emergency Approval Act of 2020”.

2732 Sec. 702. Definitions.

2733 For the purposes of this subtitle the term:

2734 (1) “Authorized Delegate” means the Mayor or the Deputy Mayor for Planning
2735 and Economic Development, or any officer or employee of the Executive Office of the Mayor to
2736 whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of
2737 the Mayor’s functions under this subtitle pursuant to section 422(6) of the Home Rule Act (D.C.
2738 Official Code § 422(6)).

2739 (2) “Bond Counsel” means a firm or firms of attorneys designated as bond
2740 counsel from time to time by the Mayor.

2741 (3) "Bonds" means the District of Columbia revenue bonds, notes, or other
2742 obligations (including refunding bonds, notes, and other obligations), in one or more series,
2743 authorized to be issued pursuant to this subtitle.

2744 (4) "Borrower" means the owner of the assets financed, refinanced, or reimbursed
2745 with proceeds from the Bonds, which shall be The Studio Theatre, Inc., a non-profit corporation
2746 organized under the laws of the District of Columbia, which is exempt from federal income taxes
2747 under section 501(a) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A
2748 Stat. 163; 26 U.S.C. § 501(a)), as an organization described in section 501(c)(3) of the Internal
2749 Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3)), and
2750 which is liable for the repayment of the Bonds.

2751 (5) "Chairman" means the Chairman of the Council of the District of Columbia.

2752 (6) "Closing Documents" means all documents and agreements, other than
2753 Financing Documents, that may be necessary and appropriate to issue, sell, and deliver the
2754 Bonds and to make the Loan, and includes agreements, certificates, letters, opinions, forms,
2755 receipts, and other similar instruments.

2756 (7) "District" means the District of Columbia.

2757 (8) "Financing Documents" means the documents, other than Closing Documents,
2758 that relate to the financing, refinancing or reimbursement of transactions to be effected through

2759 the issuance, sale, and delivery of the Bonds and the making of the Loan, including any offering
2760 document, and any required supplements to any such documents.

2761 (9) “Home Rule Act” means the District of Columbia Home Rule Act, approved
2762 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

2763 (10) “Issuance Costs” means all fees, costs, charges, and expenses paid or
2764 incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery
2765 of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal,
2766 accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection
2767 with the development and implementation of the Financing Documents, the Closing Documents,
2768 and those other documents necessary or appropriate in connection with the authorization,
2769 preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the
2770 Loan, together with financing fees, costs, and expenses, including program fees and
2771 administrative fees charged by the District, fees paid to financial institutions and insurance
2772 companies, initial letter of credit fees (if any), and compensation to financial advisors and other
2773 persons (other than full-time employees of the District) and entities performing services on
2774 behalf of or as agents for the District.

2775 (11) “Loan” means the District’s lending of proceeds from the sale, in one or
2776 more series, of the Bonds to the Borrower.

2777 (12) "Project" means the financing, refinancing, or reimbursing of all or a portion
2778 of the Borrower's costs of:

2779 (A) Renovating and expanding by approximately 2,780 gross square feet
2780 the Borrower's mixed-use theater complex located at 1501 14th Street, N.W. in Washington,
2781 D.C. (Square 241, Lot 0128), currently comprising approximately 53,532 gross square feet of
2782 above grade improvements (the "Theater Facility");

2783 (B) Renovating certain residential facilities in Washington, D.C., owned
2784 by the Borrower and used as artist housing, located at 1630 Corcoran Street, N.W. (Square 0179,
2785 Lot 0094), 1736 Corcoran Street, N.W. (Square 0155, Lot 0208), 1437 Clifton Street, N.W.
2786 (Square 2664, Lot 0058); and Condominium Units 317, 409, 419 and 820 at 1718 P Street, N.W.
2787 (Square 0157, Lots 2061, 2073, 2083 and 2164) (collectively, the "Ancillary Facilities" and
2788 together with the Theater Facility, the "Facilities");

2789 (C) Purchasing certain equipment and furnishings, together with other
2790 property, real and personal, functionally related and subordinate to the Facilities;

2791 (D) Funding certain expenditures associated with the financing of the
2792 Facilities, to the extent permissible, including, credit enhancement costs, liquidity costs, debt
2793 service reserve fund or working capital; and

2794 (E) Paying costs of issuance and other related costs, to the extent
2795 permissible.

2796 Sec. 703. Findings.

2797 The Council finds that:

2798 (1) Section 490 of the Home Rule Act (D.C. Official Code § 1-204.90) provides
2799 that the Council may by act authorize the issuance of District revenue bonds, notes, or other
2800 obligations (including refunding bonds, notes, or other obligations) to borrow money to finance,
2801 refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of, the
2802 costs of undertakings in certain areas designated in section 490 (D.C. Official Code § 1-204.90)
2803 and may affect the financing, refinancing, or reimbursement by loans made directly or indirectly
2804 to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by
2805 the purchase, lease, or sale of any property.

2806 (2) The Borrower has requested the District to issue, sell, and deliver revenue
2807 bonds, in one or more series pursuant to a plan of finance, in an aggregate principal amount not
2808 to exceed \$12,500,000, and to make the Loan for the purpose of financing, refinancing, or
2809 reimbursing costs of the Project.

2810 (3) The Facilities are located in the District and will contribute to the health,
2811 education, safety, or welfare of, or the creation or preservation of jobs for, residents of the
2812 District, or to economic development of the District.

2813 (4) The Project is an undertaking in the area of capital projects in the form of
2814 facilities used for the Borrower's operations and, in part, as a venue to produce contemporary

2815 theater and serve the community through artistic innovation, engagement, education and
2816 professional development (and property used in connection with or supplementing the
2817 foregoing), within the meaning of section 490 of the Home Rule Act (D.C. Official Code § 1-
2818 204.90).

2819 (5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to
2820 the Borrower are desirable, are in the public interest, will promote the purpose and intent of
2821 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90), and will assist the Project.

2822 Sec. 704. Bond authorization.

2823 (a) The Mayor is authorized pursuant to the Home Rule Act and this subtitle to assist in
2824 financing, refinancing or reimbursing the costs of the Project by:

2825 (1) The issuance, sale, and delivery of the Bonds, in one or more series, in an
2826 aggregate principal amount not to exceed \$12,500,000; and

2827 (2) The making of the Loan.

2828 (b) The Mayor is authorized to make the Loan to the Borrower for the purpose of
2829 financing, refinancing or reimbursing the costs of the Project and establishing any fund with
2830 respect to the Bonds as required by the Financing Documents.

2831 (c) The Mayor may charge a program fee to the Borrower, including, but not limited to,
2832 an amount sufficient to cover costs and expenses incurred by the District in connection with the
2833 issuance, sale, and delivery of each series of the Bonds, the District's participation in the

2834 monitoring of the use of the Bond proceeds and compliance with any public benefit agreements
2835 with the District, and maintaining official records of each bond transaction, and assisting in the
2836 redemption, repurchase, and remarketing of the Bonds.

2837 Sec. 705. Bond details.

2838 (a) The Mayor and each Authorized Delegate is authorized to take any action reasonably
2839 necessary or appropriate in accordance with this subtitle in connection with the preparation,
2840 execution, issuance, sale, delivery, security for, and payment of the Bonds of each series,
2841 including, but not limited to, determinations of:

2842 (1) The final form, content, designation, and terms of the Bonds, including a
2843 determination that the Bonds may be issued in certificated or book-entry form;

2844 (2) The principal amount of the Bonds to be issued and denominations of the
2845 Bonds;

2846 (3) The rate or rates of interest or the method for determining the rate or rates of
2847 interest on the Bonds;

2848 (4) The date or dates of issuance, sale, and delivery of, and the payment of interest
2849 on, the Bonds, and the maturity date or dates of the Bonds;

2850 (5) The terms under which the Bonds may be paid, optionally or mandatorily
2851 redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before
2852 their respective stated maturities;

2853 (6) Provisions for the registration, transfer, and exchange of the Bonds and the
2854 replacement of mutilated, lost, stolen, or destroyed Bonds;

2855 (7) The creation of any reserve fund, sinking fund, or other fund with respect to
2856 the Bonds;

2857 (8) The time and place of payment of the Bonds;

2858 (9) Procedures for monitoring the use of the proceeds received from the sale of
2859 the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish
2860 the purposes of the Home Rule Act and this subtitle;

2861 (10) Actions necessary to qualify the Bonds under blue sky laws of any
2862 jurisdiction where the Bonds are marketed; and

2863 (11) The terms and types of credit enhancement under which the Bonds may be
2864 secured.

2865 (b) The Bonds shall contain a legend, which shall provide that the Bonds are special
2866 obligations of the District, are without recourse to the District, are not a pledge of, and do not
2867 involve the faith and credit or the taxing power of the District, do not constitute a debt of the
2868 District, and do not constitute lending of the public credit for private undertakings as prohibited
2869 in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

2870 (c) The Bonds shall be executed in the name of the District and on its behalf by the
2871 manual or facsimile signature of the Mayor, and attested by the Secretary of the District of

2872 Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The
2873 Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's
2874 approval, on behalf of the District, of the final form and content of the Bonds.

2875 (d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or
2876 otherwise reproduced on the Bonds.

2877 (e) The Bonds of any series may be issued in accordance with the terms of a trust
2878 instrument to be entered into by the District and a trustee to be selected by the Borrower subject
2879 to the approval of the Mayor, and may be subject to the terms of one or more agreements entered
2880 into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act (D.C. Official Code § 1-
2881 204.90(a)(4)).

2882 (f) The Bonds may be issued at any time or from time to time in one or more issues and
2883 in one or more series.

2884 Sec. 706. Sale of the Bonds.

2885 (a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or
2886 below par, to one or more persons or entities, and upon terms that the Mayor considers to be in
2887 the best interest of the District.

2888 (b) The Mayor or an Authorized Delegate may execute, in connection with each sale of
2889 the Bonds, offering documents on behalf of the District, may deem final any such offering
2890 document on behalf of the District for purposes of compliance with federal laws and regulations

2891 governing such matters and may authorize the distribution of the documents in connection with
2892 the sale of the Bonds.

2893 (c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the
2894 District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to
2895 the original purchasers of the Bonds upon payment of the purchase price.

2896 (d) The Bonds shall not be issued until the Mayor receives an approving opinion from
2897 Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is
2898 expected to be exempt from federal income taxation, the treatment of the interest on the Bonds
2899 for purposes of federal income taxation.

2900 Sec. 707. Payment and security.

2901 (a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely
2902 from proceeds received from the sale of the Bonds, income realized from the temporary
2903 investment of those proceeds, receipts and revenues realized by the District from the Loan,
2904 income realized from the temporary investment of those receipts and revenues prior to payment
2905 to the Bond owners, other moneys that, as provided in the Financing Documents, may be made
2906 available to the District for the payment of the Bonds, and other sources of payment (other than
2907 from the District), all as provided for in the Financing Documents.

2908 (b) Payment of the Bonds shall be secured as provided in the Financing Documents and
2909 by an assignment by the District for the benefit of the Bond owners of certain of its rights under

2910 the Financing Documents and Closing Documents, including a security interest in certain
2911 collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

2912 (c) The trustee is authorized to deposit, invest, and disburse the proceeds received from
2913 the sale of the Bonds pursuant to the Financing Documents.

2914 Sec. 708. Financing and Closing Documents.

2915 (a) The Mayor is authorized to prescribe the final form and content of all Financing
2916 Documents and all Closing Documents to which the District is a party that may be necessary or
2917 appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of
2918 the Financing Documents and each of the Closing Documents to which the District is not a party
2919 shall be approved, as to form and content, by the Mayor.

2920 (b) The Mayor is authorized to execute, in the name of the District and on its behalf, the
2921 Financing Documents and any Closing Documents to which the District is a party by the
2922 Mayor's manual or facsimile signature.

2923 (c) If required, the official seal of the District, or a facsimile of it, shall be impressed,
2924 printed, or otherwise reproduced on the Financing Documents and the Closing Documents to
2925 which the District is a party.

2926 (d) The Mayor's execution and delivery of the Financing Documents and the Closing
2927 Documents to which the District is a party shall constitute conclusive evidence of the Mayor's

2928 approval, on behalf of the District, of the final form and content of the executed Financing
2929 Documents and the executed Closing Documents.

2930 (e) The Mayor is authorized to deliver the executed and sealed Financing Documents and
2931 Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale,
2932 and delivery of the Bonds, and to ensure the due performance of the obligations of the District
2933 contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

2934 Sec. 709. Authorized delegation of authority.

2935 To the extent permitted by District and federal laws, the Mayor may delegate to any
2936 Authorized Delegate the performance of any function authorized to be performed by the Mayor
2937 under this subtitle.

2938 Sec. 710. Limited liability.

2939 (a) The Bonds shall be special obligations of the District. The Bonds shall be without
2940 recourse to the District. The Bonds shall not be general obligations of the District, shall not be a
2941 pledge of, or involve the faith and credit or the taxing power of, the District, shall not constitute a
2942 debt of the District, and shall not constitute lending of the public credit for private undertakings
2943 as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

2944 (b) The Bonds shall not give rise to any pecuniary liability of the District and the District
2945 shall have no obligation with respect to the purchase of the Bonds.

2946 (c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing
2947 Documents shall create an obligation on the part of the District to make payments with respect to
2948 the Bonds from sources other than those listed for that purpose in section 707.

2949 (d) The District shall have no liability for the payment of any Issuance Costs or for any
2950 transaction or event to be effected by the Financing Documents.

2951 (e) All covenants, obligations, and agreements of the District contained in this subtitle,
2952 the Bonds, and the executed, sealed, and delivered Financing Documents and Closing
2953 Documents to which the District is a party, shall be considered to be the covenants, obligations,
2954 and agreements of the District to the fullest extent authorized by law, and each of those
2955 covenants, obligations, and agreements shall be binding upon the District, subject to the
2956 limitations set forth in this subtitle.

2957 (f) No person, including, but not limited to, the Borrower and any Bond owner, shall have
2958 any claims against the District or any of its elected or appointed officials, officers, employees, or
2959 agents for monetary damages suffered as a result of the failure of the District or any of its elected
2960 or appointed officials, officers, employees or agents to either perform any covenant, undertaking,
2961 or obligation under this subtitle, the Bonds, the Financing Documents, or the Closing
2962 Documents, or as a result of the incorrectness of any representation in or omission from the
2963 Financing Documents or the Closing Documents, unless the District or its elected or appointed
2964 officials, officers, employees, or agents have acted in a willful and fraudulent manner.

2965 Sec. 711. District officials.

2966 (a) Except as otherwise provided in section 710(f), the elected or appointed officials,
2967 officers, employees, or agents of the District shall not be liable personally for the payment of the
2968 Bonds or be subject to any personal liability by reason of the issuance, sale or delivery of the
2969 Bonds, or for any representations, warranties, covenants, obligations, or agreements of the
2970 District contained in this subtitle, the Bonds, the Financing Documents, or the Closing
2971 Documents.

2972 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
2973 any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall
2974 be valid and sufficient for all purposes notwithstanding the fact that the individual signatory
2975 ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing
2976 Documents.

2977 Sec.712. Maintenance of documents.

2978 Copies of the specimen Bonds and of the final Financing Documents and Closing
2979 Documents shall be filed in the Office of the Secretary of the District of Columbia.

2980 Sec.713. Information reporting.

2981 Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the
2982 issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the
2983 Council.

2984 Sec. 714. Disclaimer.

2985 (a) The issuance of Bonds is in the discretion of the District. Nothing contained in this
2986 subtitle, the Bonds, the Financing Documents, or the Closing Documents shall be construed as
2987 obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or
2988 assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the
2989 Project. The Borrower shall have no claims for damages or for any other legal or equitable relief
2990 against the District, its elected or appointed officials, officers, employees, or agents as a
2991 consequence of any failure to issue any Bonds for the benefit of the Borrower.

2992 (b) The District reserves the right to issue the Bonds in the order or priority it determines
2993 in its sole and absolute discretion. The District gives no assurance and makes no representations
2994 that any portion of any limited amount of bonds or other obligations, the interest on which is
2995 excludable from gross income for federal income tax purposes, will be reserved or will be
2996 available at the time of the proposed issuance of the Bonds.

2997 (c) The District, by enacting this subtitle or by taking any other action in connection with
2998 financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that
2999 the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on
3000 the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the
3001 Bonds, nor any other person shall rely upon the District with respect to these matters.

3002 Sec. 715. Expiration.

3003 If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of
3004 the effective date of this act, the authorization provided in this subtitle with respect to the
3005 issuance, sale, and delivery of the Bonds shall expire.

3006 Sec. 716. Severability.

3007 If any particular provision of this subtitle or the application thereof to any person or
3008 circumstance is held invalid, the remainder of this subtitle and the application of such provision
3009 to other persons or circumstances shall not be affected thereby. If any action or inaction
3010 contemplated under this subtitle is determined to be contrary to the requirements of applicable
3011 law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and
3012 the validity of the Bonds shall not be adversely affected.

3013 **SUBTITLE B. DC SCHOLARS PUBLIC CHARTER SCHOOL, INC.**

3014 Sec. 721. This subtitle may be cited as the “DC Scholars Public Charter School, Inc.
3015 Revenue Bonds Project Emergency Approval Resolution of 2020”.

3016 Sec. 722. Definitions.

3017 For the purpose of this subtitle, the term:

3018 (1) “Authorized Delegate” means the Mayor or the Deputy Mayor for Planning
3019 and Economic Development, or any officer or employee of the Executive Office of the Mayor to
3020 whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of

3021 the Mayor's functions under this subtitle pursuant to section 422(6) of the Home Rule Act (D.C.
3022 Official Code § 1-204.22(6)).

3023 (2) "Bond Counsel" means a firm or firms of attorneys designated as bond
3024 counsel from time to time by the Mayor.

3025 (3) "Bonds" means the District of Columbia revenue bonds, notes, or other
3026 obligations (including refunding bonds, notes, and other obligations), in one or more series,
3027 authorized to be issued pursuant to this subtitle.

3028 (4) "Borrower" means the owner, operator, manager and user of the assets
3029 financed, refinanced, or reimbursed with proceeds from the Bonds, which shall be DC Scholars
3030 Public Charter School, Inc., a corporation organized under the laws of the District of Columbia,
3031 and exempt from federal income taxes under section 501(a) of the Internal Revenue Code of
3032 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C § 501(a)), as an organization
3033 described in section 501(c)(3) of the Internal Revenue Code of 1986, approved August 16, 1954
3034 (68A Stat. 163; 26 U.S.C. § 501(c)(3)).

3035 (5) "Chairman" means the Chairman of the Council of the District of Columbia.

3036 (6) "Closing Documents" means all documents and agreements other than
3037 Financing Documents that may be necessary and appropriate to issue, sell, and deliver the Bonds
3038 and to make the Loan contemplated thereby, and includes agreements, certificates, letters,
3039 opinions, forms, receipts, and other similar instruments.

3040 (7) "District" means the District of Columbia.

3041 (8) "Financing Documents" means the documents other than Closing Documents
3042 that relate to the financing or refinancing of transactions to be effected through the issuance, sale,
3043 and delivery of the Bonds and the making of the Loan, including any offering document, and any
3044 required supplements to any such documents.

3045 (9) "Home Rule Act" means the District of Columbia Home Rule Act, approved
3046 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

3047 (10) "Issuance Costs" means all fees, costs, charges, and expenses paid or
3048 incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery
3049 of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal,
3050 accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection
3051 with the development and implementation of the Financing Documents, the Closing Documents,
3052 and those other documents necessary or appropriate in connection with the authorization,
3053 preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the
3054 Loan contemplated thereby, together with financing fees, costs, and expenses, including program
3055 fees and administrative fees charged by the District, fees paid to financial institutions and
3056 insurance companies, initial letter of credit fees (if any), compensation to financial advisors and
3057 other persons (other than full-time employees of the District) and entities performing services on
3058 behalf of or as agents for the District.

3059 (11) "Loan" means the District's lending of proceeds from the sale, in one or
3060 more series, of the Bonds to the Borrower.

3061 (12) "Project" means the financing, refinancing or reimbursing of all or a portion
3062 of the Borrower's costs of:

3063 (A) Financing the acquisition of a leasehold interest in an existing
3064 school facility located at 5601 East Capitol Street, S.E., Washington, D.C. 20019 (the
3065 "Facility"), which Facility will be operated by the Borrower;

3066 (B) Refinancing the outstanding amount of existing taxable loans
3067 and related expenses, the proceeds of which were used to finance improvements to the Facility;

3068 (C) Funding a debt service reserve fund with respect to the Bonds,
3069 if deemed necessary in connection with the sale of the Bonds;

3070 (D) Paying capitalized interest with respect to the Bonds, if
3071 deemed necessary in connection with the sale of the Bonds; and

3072 (E) Paying allowable Issuance Costs.

3073 Sec. 723. Findings.

3074 The Council finds that:

3075 (1) Section 490 of the Home Rule Act (D.C. Official Code § 1-204.90) provides
3076 that the Council may by act authorize the issuance of District revenue bonds, notes, or other
3077 obligations (including refunding bonds, notes, or other obligations) to borrow money to finance,

3078 refinance, or reimburse, and to assist in the financing, refinancing, or reimbursing of
3079 undertakings in certain areas designated in section 490 (D.C. Official Code § 1-204.90), and may
3080 effect the financing, refinancing, or reimbursement by loans made directly or indirectly to any
3081 individual or legal entity, by the purchase of any mortgage, note, or other security, or by the
3082 purchase, lease, or sale of any property.

3083 (2) The Borrower has requested the District to issue, sell, and deliver revenue
3084 bonds, in one or more series, in the aggregate principal amount not to exceed \$16,000,000, and
3085 to make the Loan for the purpose of financing, refinancing, or reimbursing costs of the Project.

3086 (3) The Project is located in the District and will contribute to the health,
3087 education, safety, or welfare of, or the creation or preservation of jobs for, residents of the
3088 District, or to economic development of the District.

3089 (4) The Project is an undertaking in the area of elementary, secondary, and
3090 college and university facilities within the meaning of section 490 of the Home Rule Act (D.C.
3091 Official Code § 1-204.90).

3092 (5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to
3093 the Borrower are desirable, are in the public interest, will promote the purpose and intent of
3094 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90), and will assist the Project.

3095 Sec. 724. Bond authorization.

3096 (a) The Mayor is authorized pursuant to the Home Rule Act and this subtitle to assist in
3097 financing, refinancing, or reimbursing the costs of the Project by:

3098 (1) The issuance, sale, and delivery of the Bonds, in one or more series, in the
3099 aggregate principal amount not to exceed \$16,000,000; and

3100 (2) The making of the Loan.

3101 (b) The Mayor is authorized to make the Loan to the Borrower for the purpose of
3102 financing, refinancing, or reimbursing the costs of the Project and establishing any fund with
3103 respect to the Bonds as required by the Financing Documents.

3104 (c) The Mayor may charge a program fee to the Borrower, including, but not limited to,
3105 an amount sufficient to cover costs and expenses incurred by the District in connection with the
3106 issuance, sale, and delivery of each series of the Bonds, the District's participation in the
3107 monitoring of the use of the Bond proceeds and compliance with any public benefit agreements
3108 with the District, and maintaining official records of each bond transaction and assisting in the
3109 redemption, repurchase, and remarketing of the Bonds.

3110 Sec. 725. Bond details.

3111 (a) The Mayor is authorized to take any action reasonably necessary or appropriate in
3112 accordance with this subtitle in connection with the preparation, execution, issuance, sale,

3113 delivery, security for, and payment of the Bonds of each series, including, but not limited to,
3114 determinations of:

3115 (1) The final form, content, designation, and terms of the Bonds, including a
3116 determination that the Bonds may be issued in certificated or book-entry form;

3117 (2) The principal amount of the Bonds to be issued and denominations of the
3118 Bonds;

3119 (3) The rate or rates of interest or the method for determining the rate or rates of
3120 interest on the Bonds;

3121 (4) The date or dates of issuance, sale, and delivery of, and the payment of interest
3122 on the Bonds, and the maturity date or dates of the Bonds;

3123 (5) The terms under which the Bonds may be paid, optionally or mandatorily
3124 redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before
3125 their respective stated maturities;

3126 (6) Provisions for the registration, transfer, and exchange of the Bonds and the
3127 replacement of mutilated, lost, stolen, or destroyed Bonds;

3128 (7) The creation of any reserve fund, sinking fund, or other fund with respect to
3129 the Bonds;

3130 (8) The time and place of payment of the Bonds;

3131 (9) Procedures for monitoring the use of the proceeds received from the sale of
3132 the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish
3133 the purposes of the Home Rule Act and this subtitle;

3134 (10) Actions necessary to qualify the Bonds under blue sky laws of any
3135 jurisdiction where the Bonds are marketed; and

3136 (11) The terms and types of credit enhancement under which the Bonds may be
3137 secured.

3138 (b) The Bonds shall contain a legend, which shall provide that the Bonds are special
3139 obligations of the District, are without recourse to the District, are not a pledge of, and do not
3140 involve the faith and credit or the taxing power of the District, do not constitute a debt of the
3141 District, and do not constitute lending of the public credit for private undertakings as prohibited
3142 in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

3143 (c) The Bonds shall be executed in the name of the District and on its behalf by the
3144 manual or facsimile signature of the Mayor and attested by the Secretary of the District of
3145 Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The
3146 Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's
3147 approval, on behalf of the District, of the final form and content of the Bonds.

3148 (d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or
3149 otherwise reproduced on the Bonds.

3150 (e) The Bonds of any series may be issued in accordance with the terms of a trust
3151 instrument to be entered into by the District and a trustee to be selected by the Borrower subject
3152 to the approval of the Mayor, and may be subject to the terms of one or more agreements entered
3153 into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act (D.C. Official Code § 1-
3154 204.90(a)(4)).

3155 (f) The Bonds may be issued at any time or from time to time in one or more issues and
3156 in one or more series.

3157 Sec. 726. Sale of the Bonds.

3158 (a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or
3159 below par, to one or more persons or entities, and upon terms that the Mayor considers to be in
3160 the best interest of the District.

3161 (b) The Mayor or an Authorized Delegate may execute, in connection with each sale of
3162 the Bonds, offering documents on behalf of the District, may deem final any such offering
3163 document on behalf of the District for purposes of compliance with federal laws and regulations
3164 governing such matters, and may authorize the distribution of the documents in connection with
3165 the sale of the Bonds.

3166 (c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the
3167 District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to
3168 the original purchasers of the Bonds upon payment of the purchase price.

3169 (d) The Bonds shall not be issued until the Mayor receives an approving opinion from
3170 Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is
3171 expected to be exempt from federal income taxation, the treatment of the interest on the Bonds
3172 for purposes of federal income taxation.

3173 Sec. 727. Payment and security.

3174 (a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely
3175 from proceeds received from the sale of the Bonds, income realized from the temporary
3176 investment of those proceeds, receipts and revenues realized by the District from the Loan,
3177 income realized from the temporary investment of those receipts and revenues prior to payment
3178 to the Bond owners, other moneys that, as provided in the Financing Documents, may be made
3179 available to the District for the payment of the Bonds, and other sources of payment (other than
3180 from the District), all as provided for in the Financing Documents.

3181 (b) Payment of the Bonds shall be secured as provided in the Financing Documents and
3182 by an assignment by the District for the benefit of the Bond owners of certain of its rights under
3183 the Financing Documents and Closing Documents, including a security interest in certain
3184 collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

3185 (c) The trustee is authorized to deposit, invest, and disburse the proceeds received from
3186 the sale of the Bonds pursuant to the Financing Documents.

3187 Sec. 728. Financing and Closing Documents.

3188 (a) The Mayor is authorized to prescribe the final form and content of all Financing
3189 Documents and all Closing Documents that may be necessary or appropriate to issue, sell, and
3190 deliver the Bonds and to make the Loan to the Borrower.

3191 (b) The Mayor is authorized to execute, in the name of the District and on its behalf, the
3192 Financing Documents and any Closing Documents to which the District is a party by the
3193 Mayor's manual or facsimile signature.

3194 (c) If required, the official seal of the District, or a facsimile of it, shall be impressed,
3195 printed, or otherwise reproduced on the Financing Documents and the Closing Documents to
3196 which the District is a party.

3197 (d) The Mayor's execution and delivery of the Financing Documents and the Closing
3198 Documents to which the District is a party shall constitute conclusive evidence of the Mayor's
3199 approval, on behalf of the District, of the final form and content of the executed Financing
3200 Documents and the executed Closing Documents.

3201 (e) The Mayor is authorized to deliver the executed and sealed Financing Documents and
3202 Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale,
3203 and delivery of the Bonds, and to ensure the due performance of the obligations of the District
3204 contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

3205 Sec. 729. Authorized delegation of authority.

3206 To the extent permitted by District and federal laws, the Mayor may delegate to any
3207 Authorized Delegate the performance of any function authorized to be performed by the Mayor
3208 under this subtitle.

3209 Sec. 730. Limited liability.

3210 (a) The Bonds shall be special obligations of the District. The Bonds shall be without
3211 recourse to the District. The Bonds shall not be general obligations of the District, shall not be a
3212 pledge of or involve the faith and credit or the taxing power of the District, shall not constitute a
3213 debt of the District, and shall not constitute lending of the public credit for private undertakings
3214 as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

3215 (b) The Bonds shall not give rise to any pecuniary liability of the District and the District
3216 shall have no obligation with respect to the purchase of the Bonds.

3217 (c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing
3218 Documents shall create an obligation on the part of the District to make payments with respect to
3219 the Bonds from sources other than those listed for that purpose in section 727.

3220 (d) The District shall have no liability for the payment of any Issuance Costs or for any
3221 transaction or event to be effected by the Financing Documents.

3222 (e) All covenants, obligations, and agreements of the District contained in this subtitle,
3223 the Bonds, and the executed, sealed, and delivered Financing Documents and Closing
3224 Documents to which the District is a party, shall be considered to be the covenants, obligations,

3225 and agreements of the District to the fullest extent authorized by law, and each of those
3226 covenants, obligations, and agreements shall be binding upon the District, subject to the
3227 limitations set forth in this subtitle.

3228 (f) No person, including, but not limited to, the Borrower and any Bond owner, shall have
3229 any claims against the District or any of its elected or appointed officials, officers, employees, or
3230 agents for monetary damages suffered as a result of the failure of the District or any of its elected
3231 or appointed officials, officers, employees, or agents to perform any covenant, undertaking, or
3232 obligation under this subtitle, the Bonds, the Financing Documents, or the Closing Documents,
3233 nor as a result of the incorrectness of any representation in, or omission from, the Financing
3234 Documents or the Closing Documents, unless the District or its elected or appointed officials,
3235 officers, employees, or agents have acted in a willful and fraudulent manner.

3236 Sec. 731. District officials.

3237 (a) Except as otherwise provided in section 730(f), the elected or appointed officials,
3238 officers, employees, or agents of the District shall not be liable personally for the payment of the
3239 Bonds or be subject to any personal liability by reason of the issuance, sale, or delivery of the
3240 Bonds, or for any representations, warranties, covenants, obligations, or agreements of the
3241 District contained in this subtitle, the Bonds, the Financing Documents, or the Closing
3242 Documents.

3243 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
3244 any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall
3245 be valid and sufficient for all purposes notwithstanding the fact that the individual signatory
3246 ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing
3247 Documents.

3248 Sec. 732. Maintenance of documents.

3249 Copies of the specimen Bonds and of the final Financing Documents and Closing
3250 Documents shall be filed in the Office of the Secretary of the District of Columbia.

3251 Sec. 733. Information reporting.

3252 Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the
3253 issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the
3254 Council.

3255 Sec. 734. Disclaimer.

3256 (a) The issuance of Bonds is in the discretion of the District. Nothing contained in this
3257 subtitle, the Bonds, the Financing Documents, or the Closing Documents shall be construed as
3258 obligating the District to issue any Bonds for the benefit of the Borrower or to participate in, or
3259 assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the
3260 Project. The Borrower shall have no claims for damages or for any other legal or equitable relief

3261 against the District, its elected or appointed officials, officers, employees, or agents as a
3262 consequence of any failure to issue any Bonds for the benefit of the Borrower.

3263 (b) The District reserves the right to issue the Bonds in the order or priority it determines
3264 in its sole and absolute discretion. The District gives no assurance and makes no representations
3265 that any portion of any limited amount of bonds or other obligations, the interest on which is
3266 excludable from gross income for federal income tax purposes, will be reserved or will be
3267 available at the time of the proposed issuance of the Bonds.

3268 (c) The District, by enacting this subtitle or by taking any other action in connection with
3269 financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that
3270 the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on
3271 the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the
3272 Bonds, nor any other person shall rely upon the District with respect to these matters.

3273 Sec. 735. Expiration.

3274 If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of
3275 the effective date of this act, the authorization provided in this subtitle with respect to the
3276 issuance, sale, and delivery of the Bonds shall expire.

3277 Sec. 736. Severability.

3278 If any particular provision of this subtitle, or the application thereof to any person or
3279 circumstance is held invalid, the remainder of this subtitle and the application of such provision

3280 to other persons or circumstances shall not be affected thereby. If any action or inaction
3281 contemplated under this subtitle is determined to be contrary to the requirements of applicable
3282 law, such action or inaction shall not be necessary for the purpose of issuing the Bonds, and the
3283 validity of the Bonds shall not be adversely affected.

3284 **SUBTITLE C. WASHINGTON HOUSING CONSERVANCY.**

3285 Sec. 741. This subtitle may be cited as the “Washington Housing Conservancy/WHC
3286 Park Pleasant LLC Revenue Bonds Project Approval Act of 2020”.

3287 Sec. 742. Definitions.

3288 For the purposes of this subtitle, the term:

3289 (1) “Authorized Delegate” means the Mayor or the Deputy Mayor for Planning
3290 and Economic Development, or any officer or employee of the Executive Office of the Mayor to
3291 whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of
3292 the Mayor’s functions under this resolution pursuant to section 422(6) of the Home Rule Act
3293 (D.C. Official Code § 1-204.22(6)).

3294 (2) “Bond Counsel” means a firm or firms of attorneys designated as bond
3295 counsel from time to time by the Mayor.

3296 (3) “Bonds” means the District of Columbia revenue bonds, notes, or other
3297 obligations (including refunding bonds, notes, and other obligations), in one or more series,
3298 authorized to be issued pursuant to this resolution.

3299 (4) “Borrower” means the owner of the assets financed, refinanced, or reimbursed
3300 with proceeds from the Bonds, which shall be, individually or collectively, Washington Housing
3301 Conservancy, a non-profit corporation organized under the laws of the District of Columbia,
3302 and/or WHC Park Pleasant LLC, a District of Columbia limited liability company, the sole
3303 member of which is the Washington Housing Conservancy, both of which are exempt from
3304 federal income taxes under section 501(a) of the Internal Revenue Code of 1986, approved
3305 August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(a)), as organizations described in section
3306 501(c)(3) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26
3307 U.S.C. § 501(c)(3)), and which are, individually or collectively, as the case may be, liable for the
3308 repayment of the Bonds.

3309 (5) “Chairman” means the Chairman of the Council of the District of Columbia.

3310 (6) “Closing Documents” means all documents and agreements, other than
3311 Financing Documents, that may be necessary and appropriate to issue, sell, and deliver the
3312 Bonds and to make the Loan, and includes agreements, certificates, letters, opinions, forms,
3313 receipts, and other similar instruments.

3314 (7) “District” means the District of Columbia.

3315 (8) “Financing Documents” means the documents, other than Closing Documents,
3316 that relate to the financing, refinancing or reimbursement of transactions to be effected through

3317 the issuance, sale, and delivery of the Bonds and the making of the Loan, including any offering
3318 document, and any required supplements to any such documents.

3319 (9) “Home Rule Act” means the District of Columbia Home Rule Act, approved
3320 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

3321 (10) “Issuance Costs” means all fees, costs, charges, and expenses paid or
3322 incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery
3323 of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal,
3324 accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection
3325 with the development and implementation of the Financing Documents, the Closing Documents,
3326 and those other documents necessary or appropriate in connection with the authorization,
3327 preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the
3328 Loan, together with financing fees, costs, and expenses, including program fees and
3329 administrative fees charged by the District, fees paid to financial institutions and insurance
3330 companies, initial letter of credit fees (if any), and compensation to financial advisors and other
3331 persons (other than full-time employees of the District) and entities performing services on
3332 behalf of or as agents for the District.

3333 (11) “Loan” means the District’s lending of proceeds from the sale, in one or
3334 more series, of the Bonds to the Borrower.

3335 (12) "Project" means the financing, refinancing, or reimbursing of all or a portion
3336 of the Borrower's costs of:

3337 (A) Acquiring and renovating real property, including a parcel of land
3338 comprising approximately 2.042 acres improved with approximately 69,910 square feet of
3339 residential rental property comprising 126 rental housing units and associated parking facilities
3340 located in Washington, D.C., commonly known as Park Pleasant Apartments with street
3341 addresses at 3339 Mt. Pleasant Street, N.W., 3360 Mt. Pleasant Street, N.W., 3354 Mt. Pleasant
3342 Street, N.W., 3348 Mt. Pleasant Street, N.W., 3342 Mt. Pleasant Street, N.W., 3336 Mt. Pleasant
3343 Street, N.W., 3351 Mt. Pleasant Street, N.W., 1331 Mt. Pleasant Street, N.W., 3327 Mt. Pleasant
3344 Street, N.W., 3323 Mt. Pleasant Street, N.W., and 1712 Newton Street, N.W. (collectively, the
3345 "Facility");

3346 (B) Purchasing certain equipment and furnishings, together with other
3347 property, real and personal, functionally related and subordinate to the Facility;

3348 (C) Funding certain expenditures associated with the financing of the
3349 Facility, to the extent permissible, including, credit enhancement costs, liquidity costs, debt
3350 service reserve fund or working capital; and

3351 (D) Paying costs of issuance and other related costs, to the extent
3352 permissible.

3353 Sec. 743. Findings.

3354 The Council finds that:

3355 (1) Section 490 of the Home Rule Act (D.C. Official Code § 1-204.90) provides
3356 that the Council may by act authorize the issuance of District revenue bonds, notes, or other
3357 obligations (including refunding bonds, notes, or other obligations) to borrow money to finance,
3358 refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of, the
3359 costs of undertakings in certain areas designated in section 490 (D.C. Official Code § 1-204.90)
3360 and may affect the financing, refinancing, or reimbursement by loans made directly or indirectly
3361 to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by
3362 the purchase, lease, or sale of any property.

3363 (2) The Borrower has requested the District to issue, sell, and deliver revenue
3364 bonds, in one or more series pursuant to a plan of finance, in an aggregate principal amount not
3365 to exceed \$28,000,000, and to make the Loan for the purpose of financing, refinancing, or
3366 reimbursing costs of the Project.

3367 (3) The Facility is located in the District and will contribute to the health,
3368 education, safety, or welfare of, or the creation or preservation of jobs for, residents of the
3369 District, or to economic development of the District.

3370 (4) The Project is an undertaking in the area of housing, within the meaning of
3371 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90).

3372 (5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to
3373 the Borrower are desirable, are in the public interest, will promote the purpose and intent of
3374 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90), and will assist the Project.
3375 Sec. 744. Bond authorization.

3376 (a) The Mayor is authorized pursuant to the Home Rule Act and this subtitle to assist in
3377 financing, refinancing or reimbursing the costs of the Project by:

3378 (1) The issuance, sale, and delivery of the Bonds, in one or more series, in an
3379 aggregate principal amount not to exceed \$28,000,000; and

3380 (2) The making of the Loan.

3381 (b) The Mayor is authorized to make the Loan to the Borrower for the purpose of
3382 financing, refinancing or reimbursing the costs of the Project and establishing any fund with
3383 respect to the Bonds as required by the Financing Documents.

3384 (c) The Mayor may charge a program fee to the Borrower, including, but not limited to,
3385 an amount sufficient to cover costs and expenses incurred by the District in connection with the
3386 issuance, sale, and delivery of each series of the Bonds, the District's participation in the
3387 monitoring of the use of the Bond proceeds and compliance with any public benefit agreements
3388 with the District, and maintaining official records of each bond transaction, and assisting in the
3389 redemption, repurchase, and remarketing of the Bonds.

3390 Sec. 745. Bond details.

3391 (a) The Mayor and each Authorized Delegate is authorized to take any action reasonably
3392 necessary or appropriate in accordance with this subtitle in connection with the preparation,
3393 execution, issuance, sale, delivery, security for, and payment of the Bonds of each series,
3394 including, but not limited to, determinations of:

3395 (1) The final form, content, designation, and terms of the Bonds, including a
3396 determination that the Bonds may be issued in certificated or book-entry form;

3397 (2) The principal amount of the Bonds to be issued and denominations of the
3398 Bonds;

3399 (3) The rate or rates of interest or the method for determining the rate or rates of
3400 interest on the Bonds;

3401 (4) The date or dates of issuance, sale, and delivery of, and the payment of interest
3402 on, the Bonds, and the maturity date or dates of the Bonds;

3403 (5) The terms under which the Bonds may be paid, optionally or mandatorily
3404 redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before
3405 their respective stated maturities;

3406 (6) Provisions for the registration, transfer, and exchange of the Bonds and the
3407 replacement of mutilated, lost, stolen, or destroyed Bonds;

3408 (7) The creation of any reserve fund, sinking fund, or other fund with respect to
3409 the Bonds;

3410 (8) The time and place of payment of the Bonds;

3411 (9) Procedures for monitoring the use of the proceeds received from the sale of
3412 the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish
3413 the purposes of the Home Rule Act and this subtitle;

3414 (10) Actions necessary to qualify the Bonds under blue sky laws of any
3415 jurisdiction where the Bonds are marketed; and

3416 (11) The terms and types of credit enhancement under which the Bonds may be
3417 secured.

3418 (b) The Bonds shall contain a legend, which shall provide that the Bonds are special
3419 obligations of the District, are without recourse to the District, are not a pledge of, and do not
3420 involve the faith and credit or the taxing power of the District, do not constitute a debt of the
3421 District, and do not constitute lending of the public credit for private undertakings as prohibited
3422 in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

3423 (c) The Bonds shall be executed in the name of the District and on its behalf by the
3424 manual or facsimile signature of the Mayor, and attested by the Secretary of the District of
3425 Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The
3426 Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's
3427 approval, on behalf of the District, of the final form and content of the Bonds.

3428 (d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or
3429 otherwise reproduced on the Bonds.

3430 (e) The Bonds of any series may be issued in accordance with the terms of a trust
3431 instrument to be entered into by the District and a trustee to be selected by the Borrower subject
3432 to the approval of the Mayor, and may be subject to the terms of one or more agreements entered
3433 into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act (D.C. Official Code § 1-
3434 204.90(a)(4)).

3435 (f) The Bonds may be issued at any time or from time to time in one or more issues and
3436 in one or more series.

3437 Sec. 746. Sale of the Bonds.

3438 (a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or
3439 below par, to one or more persons or entities, and upon terms that the Mayor considers to be in
3440 the best interest of the District.

3441 (b) The Mayor or an Authorized Delegate may execute, in connection with each sale of
3442 the Bonds, offering documents on behalf of the District, may deem final any such offering
3443 document on behalf of the District for purposes of compliance with federal laws and regulations
3444 governing such matters and may authorize the distribution of the documents in connection with
3445 the sale of the Bonds.

3446 (c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the
3447 District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to
3448 the original purchasers of the Bonds upon payment of the purchase price.

3449 (d) The Bonds shall not be issued until the Mayor receives an approving opinion from
3450 Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is
3451 expected to be exempt from federal income taxation, the treatment of the interest on the Bonds
3452 for purposes of federal income taxation.

3453 Sec. 747. Payment and security.

3454 (a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely
3455 from proceeds received from the sale of the Bonds, income realized from the temporary
3456 investment of those proceeds, receipts and revenues realized by the District from the Loan,
3457 income realized from the temporary investment of those receipts and revenues prior to payment
3458 to the Bond owners, other moneys that, as provided in the Financing Documents, may be made
3459 available to the District for the payment of the Bonds, and other sources of payment (other than
3460 from the District), all as provided for in the Financing Documents.

3461 (b) Payment of the Bonds shall be secured as provided in the Financing Documents and
3462 by an assignment by the District for the benefit of the Bond owners of certain of its rights under
3463 the Financing Documents and Closing Documents, including a security interest in certain
3464 collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

3465 (c) The trustee is authorized to deposit, invest, and disburse the proceeds received from
3466 the sale of the Bonds pursuant to the Financing Documents.

3467 Sec. 748. Financing and Closing Documents.

3468 (a) The Mayor is authorized to prescribe the final form and content of all Financing
3469 Documents and all Closing Documents to which the District is a party that may be necessary or
3470 appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of
3471 the Financing Documents and each of the Closing Documents to which the District is not a party
3472 shall be approved, as to form and content, by the Mayor.

3473 (b) The Mayor is authorized to execute, in the name of the District and on its behalf, the
3474 Financing Documents and any Closing Documents to which the District is a party by the
3475 Mayor's manual or facsimile signature.

3476 (c) If required, the official seal of the District, or a facsimile of it, shall be impressed,
3477 printed, or otherwise reproduced on the Financing Documents and the Closing Documents to
3478 which the District is a party.

3479 (d) The Mayor's execution and delivery of the Financing Documents and the Closing
3480 Documents to which the District is a party shall constitute conclusive evidence of the Mayor's
3481 approval, on behalf of the District, of the final form and content of the executed Financing
3482 Documents and the executed Closing Documents.

3483 (e) The Mayor is authorized to deliver the executed and sealed Financing Documents and
3484 Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale,
3485 and delivery of the Bonds, and to ensure the due performance of the obligations of the District
3486 contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

3487 Sec. 749. Authorized delegation of authority.

3488 To the extent permitted by District and federal laws, the Mayor may delegate to any
3489 Authorized Delegate the performance of any function authorized to be performed by the Mayor
3490 under this subtitle.

3491 Sec. 750. Limited liability.

3492 (a) The Bonds shall be special obligations of the District. The Bonds shall be without
3493 recourse to the District. The Bonds shall not be general obligations of the District, shall not be a
3494 pledge of, or involve the faith and credit or the taxing power of, the District, shall not constitute a
3495 debt of the District, and shall not constitute lending of the public credit for private undertakings
3496 as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

3497 (b) The Bonds shall not give rise to any pecuniary liability of the District and the District
3498 shall have no obligation with respect to the purchase of the Bonds.

3499 (c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing
3500 Documents shall create an obligation on the part of the District to make payments with respect to
3501 the Bonds from sources other than those listed for that purpose in section 747.

3502 (d) The District shall have no liability for the payment of any Issuance Costs or for any
3503 transaction or event to be effected by the Financing Documents.

3504 (e) All covenants, obligations, and agreements of the District contained in this subtitle,
3505 the Bonds, and the executed, sealed, and delivered Financing Documents and Closing
3506 Documents to which the District is a party, shall be considered to be the covenants, obligations,
3507 and agreements of the District to the fullest extent authorized by law, and each of those
3508 covenants, obligations, and agreements shall be binding upon the District, subject to the
3509 limitations set forth in this subtitle.

3510 (f) No person, including, but not limited to, the Borrower and any Bond owner, shall have
3511 any claims against the District or any of its elected or appointed officials, officers, employees, or
3512 agents for monetary damages suffered as a result of the failure of the District or any of its elected
3513 or appointed officials, officers, employees or agents to either perform any covenant, undertaking,
3514 or obligation under this subtitle, the Bonds, the Financing Documents, or the Closing
3515 Documents, or as a result of the incorrectness of any representation in or omission from the
3516 Financing Documents or the Closing Documents, unless the District or its elected or appointed
3517 officials, officers, employees, or agents have acted in a willful and fraudulent manner.

3518 Sec. 751. District officials.

3519 (a) Except as otherwise provided in section 750(f), the elected or appointed officials,
3520 officers, employees, or agents of the District shall not be liable personally for the payment of the

3521 Bonds or be subject to any personal liability by reason of the issuance, sale or delivery of the
3522 Bonds, or for any representations, warranties, covenants, obligations, or agreements of the
3523 District contained in this subtitle, the Bonds, the Financing Documents, or the Closing
3524 Documents.

3525 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
3526 any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall
3527 be valid and sufficient for all purposes notwithstanding the fact that the individual signatory
3528 ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing
3529 Documents.

3530 Sec. 752. Maintenance of documents.

3531 Copies of the specimen Bonds and of the final Financing Documents and Closing Documents
3532 shall be filed in the Office of the Secretary of the District of Columbia.

3533 Sec. 753. Information reporting.

3534 Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the issuance
3535 of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the Council.

3536 Sec. 754. Disclaimer.

3537 (a) The issuance of Bonds is in the discretion of the District. Nothing contained in this
3538 subtitle, the Bonds, the Financing Documents, or the Closing Documents shall be construed as
3539 obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or

3540 assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the
3541 Project. The Borrower shall have no claims for damages or for any other legal or equitable relief
3542 against the District, its elected or appointed officials, officers, employees, or agents as a
3543 consequence of any failure to issue any Bonds for the benefit of the Borrower.

3544 (b) The District reserves the right to issue the Bonds in the order or priority it determines
3545 in its sole and absolute discretion. The District gives no assurance and makes no representations
3546 that any portion of any limited amount of bonds or other obligations, the interest on which is
3547 excludable from gross income for federal income tax purposes, will be reserved or will be
3548 available at the time of the proposed issuance of the Bonds.

3549 (c) The District, by enacting this subtitle or by taking any other action in connection with
3550 financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that
3551 the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on
3552 the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the
3553 Bonds, nor any other person shall rely upon the District with respect to these matters.

3554 Sec. 755. Expiration.

3555 If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of
3556 the effective date of this act, the authorization provided in this subtitle with respect to the
3557 issuance, sale, and delivery of the Bonds shall expire.

3558 Sec. 756. Severability.

3559 If any particular provision of this subtitle or the application thereof to any person or
3560 circumstance is held invalid, the remainder of this subtitle and the application of such provision
3561 to other persons or circumstances shall not be affected thereby. If any action or inaction
3562 contemplated under this subtitle is determined to be contrary to the requirements of applicable
3563 law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and
3564 the validity of the Bonds shall not be adversely affected.

3565 **SUBTITLE D. NATIONAL PUBLIC RADIO, INC.**

3566 Sec. 761. This subtitle may be cited as the “National Public Radio, Inc., Refunding
3567 Revenue Bonds Project Approval Act of 2020”.

3568 Sec. 762. Definitions.

3569 For the purpose of this subtitle, the term:

3570 (1) “Authorized Delegate” means the Mayor or the Deputy Mayor for Planning
3571 and Economic Development, or any officer or employee of the Executive Office of the Mayor to
3572 whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of
3573 the Mayor’s functions under this resolution pursuant to section 422(6) of the Home Rule Act
3574 (D.C. Official Code § 1-204.22(6)).

3575 (2) “Bond Counsel” means a firm or firms of attorneys designated as bond
3576 counsel from time to time by the Mayor.

3577 (3) "Bonds" means the District of Columbia revenue bonds, notes, or other
3578 obligations (including refunding bonds, notes, and other obligations), in one or more series,
3579 authorized to be issued pursuant to this resolution.

3580 (4) "Borrower" means the owner of the assets financed, refinanced, or reimbursed
3581 with proceeds from the Bonds, which shall be National Public Radio, Inc., a non-profit
3582 corporation organized and existing under the laws of the District of Columbia, and exempt from
3583 federal income taxes under section 501(a) of the Internal Revenue Code of 1986, approved
3584 August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(a)), as an organization described in section
3585 501(c)(3) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26
3586 U.S.C. § 501(c)(3)).

3587 (5) "Chairman" means the Chairman of the Council of the District of Columbia.

3588 (6) "Closing Documents" means all documents and agreements other than
3589 Financing Documents that may be necessary and appropriate to issue, sell, and deliver the Bonds
3590 and to make the Loan contemplated thereby, and includes agreements, certificates, letters,
3591 opinions, forms, receipts, and other similar instruments.

3592 (7) "District" means the District of Columbia.

3593 (8) "Financing Documents" means the documents, other than Closing Documents,
3594 that relate to the financing or refinancing of transactions to be effected through the issuance, sale,

3595 and delivery of the Bonds and the making of the Loan, including any offering document and any
3596 required supplements to any such documents.

3597 (9) “Home Rule Act” means the District of Columbia Home Rule Act, approved
3598 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

3599 (10) “Issuance Costs” means all fees, costs, charges, and expenses paid or
3600 incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery
3601 of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal,
3602 accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection
3603 with the development and implementation of the Financing Documents, the Closing Documents,
3604 and those other documents necessary or appropriate in connection with the authorization,
3605 preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the
3606 Loan contemplated thereby, together with financing fees, costs, and expenses, including program
3607 fees and administrative fees charged by the District, fees paid to financial institutions and
3608 insurance companies, letter of credit fees (if any), compensation to financial advisors and other
3609 persons (other than full-time employees of the District) and entities performing services on
3610 behalf of or as agents for the District.

3611 (11) “Loan” means the District’s lending of proceeds from the sale, in one or
3612 more series, of the Bonds to the Borrower.

3613 (12) "Project" means the financing, refinancing or reimbursing of all or a portion
3614 of the Borrower's costs (including payments of principal of, and interest on, the bonds being
3615 refunded) to:

3616 (A) Refund all or a portion of the outstanding District of Columbia
3617 Refunding Revenue Bonds (National Public Radio, Inc., Issue) Series 2013, the proceeds of
3618 which were used to advance refund a portion of the District of Columbia Revenue Bonds
3619 (National Public Radio, Inc. Issue) Series 2010 (the "Series 2010 Bonds") and to pay Issuance
3620 Costs, which Series 2010 Bonds were used to finance, refinance or reimburse all or a portion of
3621 the costs incurred by the Borrower to acquire, develop, renovate, furnish and equip a new office,
3622 production and distribution center located at 1111 North Capitol Street, N.E., Washington, D.C.
3623 20002-7502 (Square 673, Lot 36), and to pay Issuance Costs; and

3624 (B) Refund all or a portion of the outstanding District of Columbia
3625 Refunding Revenue Bonds (National Public Radio, Inc., Issue) Series 2016, the proceeds of
3626 which were also used to advance refund a portion of the Series 2010 Bonds and to pay Issuance
3627 Costs.

3628 Sec. 763. Findings.

3629 The Council finds that:

3630 (1) Section 490 of the Home Rule Act (D.C. Official Code § 1-204.90) provides
3631 that the Council may by act authorize the issuance of District revenue bonds, notes, or other

3632 obligations (including refunding bonds, notes, or other obligations) to borrow money to finance,
3633 refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of the
3634 costs of undertakings in certain areas designated in section 490 (D.C. Official Code § 1-204.90)
3635 and may affect the financing, refinancing, or reimbursement by loans made directly or indirectly
3636 to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by
3637 the purchase, lease, or sale of any property.

3638 (2) The Borrower has requested the District to issue, sell, and deliver revenue
3639 bonds, in one or more series, in the aggregate principal amount not to exceed \$210,000,000 and
3640 to make the Loan for the purpose of financing, refinancing or reimbursing costs of the Project.

3641 (3) The Project is located in the District and will contribute to the health,
3642 education, safety, or welfare of, or the creation or preservation of jobs for, residents of the
3643 District, or to economic development of the District.

3644 (4) The Project is an undertaking in the area of education and contributes to the
3645 health, education, safety or welfare of residents of the District within the meaning of section 490
3646 of the Home Rule Act (D.C. Official Code § 1-204.90).

3647 (5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to
3648 the Borrower are desirable, are in the public interest, will promote the purpose and intent of
3649 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90), and will assist the Project.

3650 Sec. 764. Bond authorization.

3651 (a) The Mayor is authorized pursuant to the Home Rule Act and this subtitle to assist in
3652 financing, refinancing, or reimbursing the costs of the Project by:

3653 (1) The issuance, sale, and delivery of the Bonds, in one or more series, in the
3654 aggregate principal amount not to exceed \$210,000,000; and

3655 (2) The making of the Loan.

3656 (b) The Mayor is authorized to make the Loan to the Borrower for the purpose of
3657 financing, refinancing, or reimbursing the costs of the Project and establishing any fund with
3658 respect to the Bonds as required by the Financing Documents.

3659 (c) The Mayor may charge a program fee to the Borrower, including, but not limited to,
3660 an amount sufficient to cover costs and expenses incurred by the District in connection with the
3661 issuance, sale, and delivery of each series of the Bonds, the District's participation in the
3662 monitoring of the use of the Bond proceeds and compliance with any public benefit agreements
3663 with the District, and maintaining official records of each bond transaction and assisting in the
3664 redemption, repurchase, and remarketing of the Bonds.

3665 Sec. 765. Bond details.

3666 (a) The Mayor and each Authorized Delegate is authorized to take any action reasonably
3667 necessary or appropriate in accordance with this subtitle in connection with the preparation,
3668 execution, issuance, sale, delivery, security for, and payment of the Bonds of each series,

3669 including, but not limited to, determinations of:

3670 (1) The final form, content, designation, and terms of the Bonds, including a
3671 determination that the Bonds may be issued in certificated or book-entry form;

3672 (2) The principal amount of the Bonds to be issued and denominations of the
3673 Bonds;

3674 (3) The rate or rates of interest or the method for determining the rate or rates of
3675 interest on the Bonds;

3676 (4) The date or dates of issuance, sale, and delivery of, and the payment of interest
3677 on the Bonds, and the maturity date or dates of the Bonds;

3678 (5) The terms under which the Bonds may be paid, optionally or mandatorily
3679 redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before
3680 their respective stated maturities;

3681 (6) Provisions for the registration, transfer, and exchange of the Bonds and the
3682 replacement of mutilated, lost, stolen, or destroyed Bonds;

3683 (7) The creation of any reserve fund, sinking fund, or other fund with respect to
3684 the Bonds;

3685 (8) The time and place of payment of the Bonds;

3686 (9) Procedures for monitoring the use of the proceeds received from the sale of
3687 the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish
3688 the purposes of the Home Rule Act and this subtitle;

3689 (10) Actions necessary to qualify the Bonds under blue sky laws of any
3690 jurisdiction where the Bonds are marketed; and

3691 (11) The terms and types of credit enhancement under which the Bonds may be
3692 secured.

3693 (b) The Bonds shall contain a legend, which shall provide that the Bonds are special
3694 obligations of the District, are without recourse to the District, are not a pledge of, and do not
3695 involve the faith and credit or the taxing power of the District, do not constitute a debt of the
3696 District, and do not constitute lending of the public credit for private undertakings as prohibited
3697 in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

3698 (c) The Bonds shall be executed in the name of the District and on its behalf by the
3699 manual or facsimile signature of the Mayor, and attested by the Secretary of State of the District
3700 of Columbia by the Secretary of State of the District of Columbia's manual or facsimile
3701 signature. The Mayor's execution and delivery of the Bonds shall constitute conclusive evidence
3702 of the Mayor's approval, on behalf of the District, of the final form and content of the Bonds.

3703 (d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or
3704 otherwise reproduced on the Bonds.

3705 (e) The Bonds of any series may be issued in accordance with the terms of a trust
3706 instrument to be entered into by the District and a trustee to be selected by the Borrower subject
3707 to the approval of the Mayor, and may be subject to the terms of one or more agreements entered
3708 into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act (D.C. Official Code § 1-
3709 204.90(a)(4)).

3710 (f) The Bonds may be issued at any time or from time to time in one or more issues and
3711 in one or more series.

3712 Sec. 766. Sale of the Bonds.

3713 (a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or
3714 below par, to one or more persons or entities, and upon terms that the Mayor considers to be in
3715 the best interest of the District.

3716 (b) The Mayor or an Authorized Delegate may execute, in connection with each sale of
3717 the Bonds, offering documents on behalf of the District, may deem final any such offering
3718 document on behalf of the District for purposes of compliance with federal laws and regulations
3719 governing such matters and may authorize the distribution of the documents in connection with
3720 the sale of the Bonds.

3721 (c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the
3722 District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to
3723 the original purchasers of the Bonds upon payment of the purchase price.

3724 (d) The Bonds shall not be issued until the Mayor receives an approving opinion from
3725 Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is
3726 expected to be exempt from federal income taxation, the treatment of the interest on the Bonds
3727 for purposes of federal income taxation.

3728 Sec. 767. Payment and security.

3729 (a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely
3730 from proceeds received from the sale of the Bonds, income realized from the temporary
3731 investment of those proceeds, receipts and revenues realized by the District from the Loan,
3732 income realized from the temporary investment of those receipts and revenues prior to payment
3733 to the Bond owners, other moneys that, as provided in the Financing Documents, may be made
3734 available to the District for the payment of the Bonds, and other sources of payment (other than
3735 from the District), all as provided for in the Financing Documents.

3736 (b) Payment of the Bonds shall be secured as provided in the Financing Documents and
3737 by an assignment by the District for the benefit of the Bond owners of certain of its rights under
3738 the Financing Documents and Closing Documents, including a security interest in certain
3739 collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

3740 (c) The trustee is authorized to deposit, invest, and disburse the proceeds received from
3741 the sale of the Bonds pursuant to the Financing Documents.

3742 Sec. 768. Financing and Closing Documents.

3743 (a) The Mayor is authorized to prescribe the final form and content of all Financing
3744 Documents and all Closing Documents to which the District is a party that may be necessary or
3745 appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of
3746 the Financing Documents and each of the Closing Documents to which the District is not a party
3747 shall be approved, as to form and content, by the Mayor.

3748 (b) The Mayor is authorized to execute, in the name of the District and on its behalf, the
3749 Financing Documents and any Closing Documents to which the District is a party by the
3750 Mayor's manual or facsimile signature.

3751 (c) If required, the official seal of the District, or a facsimile of it, shall be impressed,
3752 printed, or otherwise reproduced on the Financing Documents and the Closing Documents to
3753 which the District is a party.

3754 (d) The Mayor's execution and delivery of the Financing Documents and the Closing
3755 Documents to which the District is a party shall constitute conclusive evidence of the Mayor's
3756 approval, on behalf of the District, of the final form and content of said executed Financing
3757 Documents and said executed Closing Documents.

3758 (e) The Mayor is authorized to deliver the executed and sealed Financing Documents and
3759 Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale,
3760 and delivery of the Bonds, and to ensure the due performance of the obligations of the District
3761 contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

3762 Sec. 769. Authorized delegation of authority.

3763 To the extent permitted by District and federal laws, the Mayor may delegate to any
3764 Authorized Delegate the performance of any function authorized to be performed by the Mayor
3765 under this subtitle.

3766 Sec. 770. Limited liability.

3767 (a) The Bonds shall be special obligations of the District. The Bonds shall be without
3768 recourse to the District. The Bonds shall not be general obligations of the District, shall not be a
3769 pledge of or involve the faith and credit or the taxing power of the District, shall not constitute a
3770 debt of the District, and shall not constitute lending of the public credit for private undertakings
3771 as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

3772 (b) The Bonds shall not give rise to any pecuniary liability of the District and the District
3773 shall have no obligation with respect to the purchase of the Bonds.

3774 (c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing
3775 Documents shall create an obligation on the part of the District to make payments with respect to
3776 the Bonds from sources other than those listed for that purpose in section 767.

3777 (d) The District shall have no liability for the payment of any Issuance Costs or for any
3778 transaction or event to be effected by the Financing Documents.

3779 (e) All covenants, obligations, and agreements of the District contained in this subtitle,
3780 the Bonds, and the executed, sealed, and delivered Financing Documents and Closing

3781 Documents to which the District is a party, shall be considered to be the covenants, obligations,
3782 and agreements of the District to the fullest extent authorized by law, and each of those
3783 covenants, obligations, and agreements shall be binding upon the District, subject to the
3784 limitations set forth in this subtitle.

3785 (f) No person, including, but not limited to, the Borrower and any Bond owner, shall have
3786 any claims against the District or any of its elected or appointed officials, officers, employees, or
3787 agents for monetary damages suffered as a result of the failure of the District or any of its elected
3788 or appointed officials, officers, employees, or agents to perform any covenant, undertaking, or
3789 obligation under this subtitle, the Bonds, the Financing Documents, or the Closing Documents,
3790 nor as a result of the incorrectness of any representation in or omission from the Financing
3791 Documents or the Closing Documents, unless the District or its elected or appointed officials,
3792 officers, employees, or agents have acted in a willful and fraudulent manner.

3793 Sec. 771. District officials.

3794 (a) Except as otherwise provided in section 770(f), the elected or appointed officials,
3795 officers, employees, or agents of the District shall not be liable personally for the payment of the
3796 Bonds or be subject to any personal liability by reason of the issuance, sale or delivery of the
3797 Bonds, or for any representations, warranties, covenants, obligations, or agreements of the
3798 District contained in this subtitle, the Bonds, the Financing Documents, or the Closing
3799 Documents.

3800 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
3801 any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall
3802 be valid and sufficient for all purposes notwithstanding the fact that the individual signatory
3803 ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing
3804 Documents.

3805 Sec. 772. Maintenance of documents.

3806 Copies of the specimen Bonds and of the final Financing Documents and Closing
3807 Documents shall be filed in the Office of the Secretary of the District of Columbia.

3808 Sec. 773. Information reporting.

3809 Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the
3810 issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the
3811 Council.

3812 Sec. 774. Disclaimer.

3813 (a) The issuance of Bonds is in the discretion of the District. Nothing contained in this
3814 subtitle, the Bonds, the Financing Documents, or the Closing Documents shall be construed as
3815 obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or
3816 assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the
3817 Project. The Borrower shall have no claims for damages or for any other legal or equitable relief

3818 against the District, its elected or appointed officials, officers, employees, or agents as a
3819 consequence of any failure to issue any Bonds for the benefit of the Borrower.

3820 (b) The District reserves the right to issue the Bonds in the order or priority it determines
3821 in its sole and absolute discretion. The District gives no assurance and makes no representations
3822 that any portion of any limited amount of bonds or other obligations, the interest on which is
3823 excludable from gross income for federal income tax purposes, will be reserved or will be
3824 available at the time of the proposed issuance of the Bonds.

3825 (c) The District, by enacting this subtitle or by taking any other action in connection with
3826 financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that
3827 the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on
3828 the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the
3829 Bonds, nor any other person shall rely upon the District with respect to these matters.

3830 Sec. 775. Expiration.

3831 If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of
3832 the effective date of this act, the authorization provided in this subtitle with respect to the
3833 issuance, sale, and delivery of the Bonds shall expire.

3834 Sec. 776. Severability.

3835 If any particular provision of this subtitle or the application thereof to any person or
3836 circumstance is held invalid, the remainder of this subtitle and the application of such provision

3837 to other persons or circumstances shall not be affected thereby. If any action or inaction
3838 contemplated under this subtitle is determined to be contrary to the requirements of applicable
3839 law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and
3840 the validity of the Bonds shall not be adversely affected.

3841 **SUBTITLE E. PUBLIC WELFARE FOUNDATION, INC.**

3842 Sec. 781. This subtitle may be cited as the “Public Welfare Foundation, Inc., Revenue
3843 Bonds Project Approval Act of 2020”.

3844 Sec. 782. Definitions.

3845 For the purpose of this subtitle, the term:

3846 (1) “Authorized Delegate” means the Mayor or the Deputy Mayor for Planning and
3847 Economic Development, or any officer or employee of the Executive Office of the Mayor to whom
3848 the Mayor has delegated or to whom the foregoing individuals have subdelegated any of the
3849 Mayor’s functions under this resolution pursuant to section 422(6) of the Home Rule Act (D.C.
3850 Official Code § 1-204.22(6)).

3851 (2) “Bond Counsel” means a firm or firms of attorneys designated as bond counsel
3852 from time to time by the Mayor.

3853 (3) “Bonds” means the District of Columbia revenue bonds, notes, or other
3854 obligations (including refunding bonds, notes, and other obligations), in one or more series,
3855 authorized to be issued pursuant to this resolution.

3856 (4) "Borrower" means the owner of the assets financed or refinanced with proceeds
3857 from the Loan, which shall be Public Welfare Foundation, Inc., a non-profit corporation organized
3858 and existing under the laws of the State of Delaware, duly authorized to transact business as a
3859 foreign corporation in the District of Columbia, and exempt from federal income taxes as an
3860 organization described in section 501(c)(3) of the Internal Revenue Code of 1986, approved
3861 August 16, 1954 (68A Stat. 163; 26. U.S.C. § 501(c)(3)).

3862 (5) "Chairman" means the Chairman of the Council of the District of Columbia.

3863 (6) "Closing Documents" means all documents and agreements, other than
3864 Financing Documents that may be necessary and appropriate to issue, sell, and deliver the Bonds
3865 and to make the Loan, and includes agreements, certificates, letters, opinions, forms, receipts, and
3866 other similar instruments.

3867 (7) "District" means the District of Columbia.

3868 (8) "Financing Documents" means, the documents, other than Closing Documents,
3869 that relate to the financing, refinancing or reimbursement of transactions to be effected through the
3870 issuance, sale, and delivery of the Bonds and the making of the Loan, including any offering
3871 document and any required supplements to any such documents.

3872 (9) "Home Rule Act" means the District of Columbia Home Rule Act, approved
3873 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

3874 (10) “Issuance Costs” means all fees, costs, charges, and expenses paid or incurred
3875 in connection with the authorization, preparation, printing, issuance, sale, and delivery of the
3876 Bonds and the making of the Loan, including, but not limited to, underwriting, legal, accounting,
3877 rating agency, and all other fees, costs, charges, and expenses incurred in connection with the
3878 development and implementation of the Financing Documents, the Closing Documents, and those
3879 other documents necessary or appropriate in connection with the authorization, preparation,
3880 printing, issuance, sale, marketing, and delivery of the Bonds and the making of the Loan, together
3881 with financing fees, costs, and expenses, including program fees and administrative fees charged
3882 by the District, fees paid to financial institutions and insurance companies, initial letter of credit
3883 fees (if any), compensation to financial advisors and other persons (other than full-time employees
3884 of the District) and entities performing services on behalf of or as agents for the District.

3885 (11) “Loan” means the District’s lending to the Borrower of the proceeds from the
3886 sale, in one or more series, of the Bonds.

3887 (12) “Project” means the financing, refinancing or reimbursing of the Borrower, on
3888 a tax exempt or taxable basis, for all or a portion of the Borrower’s costs incurred in connection
3889 with the renovation of certain facilities of the Borrower located at 1200 U Street, NW, Washington,
3890 D.C. (the “Building”) in one or more phases and comprised of the following:

3891 (A) Replacement of nearly all exterior windows of the Building and the
3892 repair of certain sheet metal and masonry;

3893 (B) Soft costs, including architectural, engineering and permitting fees, in
3894 connection therewith;

3895 (C) Purchase of certain equipment and furnishings, together with other
3896 property, real and personal, functionally related and subordinate thereto;

3897 (D) Refinancing, in whole or in part, of existing indebtedness; and

3898 (E) Certain expenditures associated therewith to the extent financeable,
3899 including, without limitation, Issuance Costs, credit costs and working capital.

3900 Sec. 783. Findings.

3901 The Council finds that:

3902 (1) Section 490 of the Home Rule Act (D.C. Official Code § 1-204.90) provides
3903 that the Council may by act authorize the issuance of District revenue bonds, notes, or other
3904 obligations (including refunding bonds, notes, or other obligations) to borrow money to finance,
3905 refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of the costs
3906 of undertakings in certain areas designated in section 490 (D.C. Official Code § 1-204.90) and
3907 may affect the financing, refinancing, or reimbursement by loans made directly or indirectly to
3908 any individual or legal entity, by the purchase of any mortgage, note, or other security, or by the
3909 purchase, lease, or sale of any property.

3910 (2) The Borrower has requested the District to issue, sell, and deliver revenue and
3911 refunding bonds, in one or more series, in an aggregate principal amount not to exceed \$13,000,000
3912 and to make the Loan for the purpose of financing, refinancing or reimbursing costs of the Project.

3913 (3) The Project is located in the District and will contribute to the health, education,
3914 safety, or welfare of, or the creation or preservation of jobs for, residents of the District, or to
3915 economic development of the District.

3916 (4) The Project is an undertaking in the area of a capital project as facilities used to
3917 house and equip operations related to the study, development, application, or production of social
3918 services within the meaning of section 490 of the Home Rule Act (D.C. Official Code § 1-204.90).

3919 (5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to the
3920 Borrower are desirable, are in the public interest, will promote the purpose and intent of section
3921 490 of the Home Rule Act (D.C. Official Code § 1-204.90), and will assist the Project.

3922 Sec. 784. Bond authorization.

3923 (a) The Mayor is authorized pursuant to the Home Rule Act and this subtitle to assist in
3924 financing, refinancing, or reimbursing the costs of the Project by:

3925 (1) The issuance, sale, and delivery of the Bonds, in one or more series, in an
3926 aggregate principal amount not to exceed \$13,000,000; and

3927 (2) The making of the Loan.

3928 (b) The Mayor is authorized to make the Loan to the Borrower for the purpose of financing,
3929 refinancing, or reimbursing the costs of the Project and establishing any fund with respect to the
3930 Bonds as required by the Financing Documents.

3931 (c) The Mayor may charge a program fee to the Borrower, including, but not limited to, an
3932 amount sufficient to cover costs and expenses incurred by the District in connection with the
3933 issuance, sale, and delivery of each series of the Bonds, the District's participation in the
3934 monitoring of the use of the Bond proceeds and compliance with any public benefit agreements
3935 with the District, and maintaining official records of each bond transaction and assisting in the
3936 redemption, repurchase, and remarketing of the Bonds.

3937 Sec. 785. Bond details.

3938 (a) The Mayor and each Authorized Delegate is authorized to take any action reasonably
3939 necessary or appropriate in accordance with this subtitle in connection with the preparation,
3940 execution, issuance, sale, delivery, security for, and payment of the Bonds of each series,
3941 including, but not limited to, determinations of:

3942 (1) The final form, content, designation, and terms of the Bonds, including a
3943 determination that the Bonds may be issued in certificated or book-entry form;

3944 (2) The principal amount of the Bonds to be issued and denominations of the Bonds;

3945 (3) The rate or rates of interest or the method for determining the rate or rates of
3946 interest on the Bonds;

3947 (4) The date or dates of issuance, sale, and delivery of, and the payment of interest
3948 on the Bonds, and the maturity date or dates of the Bonds;

3949 (5) The terms under which the Bonds may be paid, optionally or mandatorily
3950 redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before
3951 their respective stated maturities;

3952 (6) Provisions for the registration, transfer, and exchange of the Bonds and the
3953 replacement of mutilated, lost, stolen, or destroyed Bonds;

3954 (7) The creation of any reserve fund, sinking fund, or other fund with respect to the
3955 Bonds;

3956 (8) The time and place of payment of the Bonds;

3957 (9) Procedures for monitoring the use of the proceeds received from the sale of the
3958 Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish the
3959 purposes of the Home Rule Act and this subtitle;

3960 (10) Actions necessary to qualify the Bonds under blue sky laws of any jurisdiction
3961 where the Bonds are marketed; and

3962 (11) The terms and types of credit enhancement under which the Bonds may be
3963 secured.

3964 (b) The Bonds shall contain a legend, which shall provide that the Bonds are special
3965 obligations of the District, are without recourse to the District, are not a pledge of, and do not

3966 involve the faith and credit or the taxing power of the District, do not constitute a debt of the
3967 District, and do not constitute lending of the public credit for private undertakings as prohibited in
3968 section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

3969 (c) The Bonds shall be executed in the name of the District and on its behalf by the manual
3970 or facsimile signature of the Mayor, and attested by the Secretary of State of the District of
3971 Columbia by the Secretary of State of the District of Columbia's manual or facsimile signature.
3972 The Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the
3973 Mayor's approval, on behalf of the District, of the final form and content of the Bonds.

3974 (d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or
3975 otherwise reproduced on the Bonds.

3976 (e) The Bonds of any series may be issued in accordance with the terms of a trust instrument
3977 to be entered into by the District and a trustee to be selected by the Borrower subject to the approval
3978 of the Mayor, and may be subject to the terms of one or more agreements entered into by the Mayor
3979 pursuant to section 490(a)(4) of the Home Rule Act (D.C. Official Code § 1-204.90(a)(4)).

3980 (f) The Bonds may be issued at any time or from time to time in one or more issues and in
3981 one or more series.

3982 Sec. 786. Sale of the Bonds.

3983 (a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or
3984 below par, to one or more persons or entities, and upon terms that the Mayor considers to be in the
3985 best interest of the District.

3986 (b) The Mayor or an Authorized Delegate may execute, in connection with each sale of the
3987 Bonds, offering documents on behalf of the District, may deem final any such offering document
3988 on behalf of the District for purposes of compliance with federal laws and regulations governing
3989 such matters and may authorize the distribution of the documents in connection with the sale of
3990 the Bonds.

3991 (c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the
3992 District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to
3993 the original purchasers of the Bonds upon payment of the purchase price.

3994 (d) The Bonds shall not be issued until the Mayor receives an approving opinion from Bond
3995 Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is expected
3996 to be exempt from federal income taxation, the treatment of the interest on the Bonds for purposes
3997 of federal income taxation.

3998 Sec. 787. Payment and security.

3999 (a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely
4000 from proceeds received from the sale of the Bonds, income realized from the temporary investment
4001 of those proceeds, receipts and revenues realized by the District from the Loan, income realized

4002 from the temporary investment of those receipts and revenues prior to payment to the Bond owners,
4003 other moneys that, as provided in the Financing Documents, may be made available to the District
4004 for the payment of the Bonds, and other sources of payment (other than from the District), all as
4005 provided for in the Financing Documents.

4006 (b) Payment of the Bonds shall be secured as provided in the Financing Documents and by
4007 an assignment by the District for the benefit of the Bond owners of certain of its rights under the
4008 Financing Documents and Closing Documents, including a security interest in certain collateral,
4009 if any, to the trustee for the Bonds pursuant to the Financing Documents.

4010 (c) The trustee is authorized to deposit, invest, and disburse the proceeds received from the
4011 sale of the Bonds pursuant to the Financing Documents.

4012 Sec. 788. Financing and Closing Documents.

4013 (a) The Mayor is authorized to prescribe the final form and content of all Financing
4014 Documents and all Closing Documents to which the District is a party that may be necessary or
4015 appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of
4016 the Financing Documents and each of the Closing Documents to which the District is not a party
4017 shall be approved, as to form and content, by the Mayor.

4018 (b) The Mayor is authorized to execute, in the name of the District and on its behalf, the
4019 Financing Documents and any Closing Documents to which the District is a party by the Mayor's
4020 manual or facsimile signature.

4021 (c) If required, the official seal of the District, or a facsimile of it, shall be impressed,
4022 printed, or otherwise reproduced on the Financing Documents and the Closing Documents to
4023 which the District is a party.

4024 (d) The Mayor's execution and delivery of the Financing Documents and the Closing
4025 Documents to which the District is a party shall constitute conclusive evidence of the Mayor's
4026 approval, on behalf of the District, of the final form and content of said executed Financing
4027 Documents and said executed Closing Documents.

4028 (e) The Mayor is authorized to deliver the executed and sealed Financing Documents and
4029 Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale,
4030 and delivery of the Bonds, and to ensure the due performance of the obligations of the District
4031 contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

4032 Sec. 789. Authorized delegation of authority.

4033 To the extent permitted by District and federal laws, the Mayor may delegate to any
4034 Authorized Delegate the performance of any function authorized to be performed by the Mayor
4035 under this subtitle.

4036 Sec. 790. Limited liability.

4037 (a) The Bonds shall be special obligations of the District. The Bonds shall be without
4038 recourse to the District. The Bonds shall not be general obligations of the District, shall not be a
4039 pledge of or involve the faith and credit or the taxing power of the District, shall not constitute a

4040 debt of the District, and shall not constitute lending of the public credit for private undertakings as
4041 prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

4042 (b) The Bonds shall not give rise to any pecuniary liability of the District and the District
4043 shall have no obligation with respect to the purchase of the Bonds.

4044 (c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing
4045 Documents shall create an obligation on the part of the District to make payments with respect to
4046 the Bonds from sources other than those listed for that purpose in section 787.

4047 (d) The District shall have no liability for the payment of any Issuance Costs or for any
4048 transaction or event to be effected by the Financing Documents.

4049 (e) All covenants, obligations, and agreements of the District contained in this subtitle, the
4050 Bonds, and the executed, sealed, and delivered Financing Documents and Closing Documents to
4051 which the District is a party, shall be considered to be the covenants, obligations, and agreements
4052 of the District to the fullest extent authorized by law, and each of those covenants, obligations, and
4053 agreements shall be binding upon the District, subject to the limitations set forth in this subtitle.

4054 (f) No person, including, but not limited to, the Borrower and any Bond owner, shall have
4055 any claims against the District or any of its elected or appointed officials, officers, employees, or
4056 agents for monetary damages suffered as a result of the failure of the District or any of its elected
4057 or appointed officials, officers, employees, or agents to perform any covenant, undertaking, or
4058 obligation under this subtitle, the Bonds, the Financing Documents, or the Closing Documents, or

4059 as a result of the incorrectness of any representation in or omission from the Financing Documents
4060 or the Closing Documents, unless the District or its elected or appointed officials, officers,
4061 employees, or agents have acted in a willful and fraudulent manner.

4062 Sec. 791. District officials.

4063 (a) Except as otherwise provided in section 790(f), the elected or appointed officials,
4064 officers, employees, or agents of the District shall not be liable personally for the payment of the
4065 Bonds or be subject to any personal liability by reason of the issuance, sale or delivery of the
4066 Bonds, or for any representations, warranties, covenants, obligations, or agreements of the District
4067 contained in this subtitle, the Bonds, the Financing Documents, or the Closing Documents.

4068 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
4069 any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall be
4070 valid and sufficient for all purposes notwithstanding the fact that the individual signatory ceases
4071 to hold that office before delivery of the Bonds, the Financing Documents, or the Closing
4072 Documents.

4073 Sec. 792. Maintenance of documents.

4074 Copies of the specimen Bonds and of the final Financing Documents and Closing
4075 Documents shall be filed in the Office of the Secretary of the District of Columbia.

4076 Sec. 793. Information reporting.

4077 Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the
4078 issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the
4079 Council.

4080 Sec. 794. Disclaimer.

4081 (a) The issuance of Bonds is in the discretion of the District. Nothing contained in this
4082 subtitle, the Bonds, the Financing Documents, or the Closing Documents shall be construed as
4083 obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or
4084 assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the Project.
4085 The Borrower shall have no claims for damages or for any other legal or equitable relief against
4086 the District, its elected or appointed officials, officers, employees, or agents as a consequence of
4087 any failure to issue any Bonds for the benefit of the Borrower.

4088 (b) The District reserves the right to issue the Bonds in the order or priority it determines
4089 in its sole and absolute discretion. The District gives no assurance and makes no representations
4090 that any portion of any limited amount of bonds or other obligations, the interest on which is
4091 excludable from gross income for federal income tax purposes, will be reserved or will be available
4092 at the time of the proposed issuance of the Bonds.

4093 (c) The District, by enacting this subtitle or by taking any other action in connection with
4094 financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that the
4095 Project is viable or sound, that the Borrower is financially sound, or that amounts owing on the

4096 Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the Bonds, nor
4097 any other person shall rely upon the District with respect to these matters.

4098 Sec. 795. Expiration.

4099 If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of
4100 the effective date of this act, the authorization provided in this subtitle with respect to the issuance,
4101 sale, and delivery of the Bonds shall expire.

4102 Sec. 796. Severability.

4103 If any particular provision of this subtitle or the application thereof to any person or
4104 circumstance is held invalid, the remainder of this subtitle and the application of such provision to
4105 other persons or circumstances shall not be affected thereby. If any action or inaction contemplated
4106 under this subtitle is determined to be contrary to the requirements of applicable law, such action
4107 or inaction shall not be necessary for the purpose of issuing of the Bonds, and the validity of the
4108 Bonds shall not be adversely affected.

4109 **TITLE VIII. APPLICABILITY; FISCAL IMPACT STATEMENT; EFFECTIVE**

4110 **DATE**

4111 Sec. 801. Applicability.

4112 This act shall apply as of March 11, 2020.

4113

4114

4115 Sec. 802. Fiscal impact statement.

4116 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
4117 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
4118 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

4119 Sec. 803. Effective date.

4120 (a) This act shall take effect following approval by the Mayor (or in the event of veto by
4121 the Mayor, action by the Council to override the veto), a 30-day period of congressional review
4122 as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
4123 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
4124 Columbia Register.

4125 (b) This act shall expire after 225 days of its having taken effect.