

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To establish the Commission on Poverty to address the needs and interests of persons in poverty, evaluate current and previous poverty-reduction programs to determine their effectiveness, hold meetings, hearings, and listening sessions to gather data and information on issues of poverty from experts and from residents in, or impacted by, poverty, and to require the Commission on Poverty to develop and submit, by a specified date, a comprehensive strategic plan for the reduction of poverty and annual updates of the plan to the Mayor and the Council; and to amend the Confirmation Act of 1978 to make a conforming amendment.

BE IT ENACTED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Commission on Poverty Establishment Amendment Act of 2020”.

TITLE I. COMMISSION ON POVERTY

Sec. 101. Definitions.

For the purposes of this title, the term:

- (1) “Commission” means the Commission on Poverty established pursuant to section 102.
- (2) “Poverty” means, in reference to an individual, someone living with an annual household income of less than or equal to the income levels published in the most recent poverty guidelines issued by the United States Department of Health and Human Services.
- (3) “Poverty-reduction plan” means a comprehensive strategic plan for the reduction of poverty in the District issued by the Commission pursuant to section 106.

Sec. 102. Commission on Poverty; establishment.

(a) There is established the Commission on Poverty. The purpose of the Commission is to study issues surrounding poverty, evaluate current and previous poverty-reduction initiatives in the District and throughout the country to determine their effectiveness and, based on its research and evaluations, make comprehensive and continuing recommendations to the Mayor and the Council for strengthening and enhancing the economic status of persons in poverty in the

District through initiatives that will also improve individuals' educational, wellness, and housing outcomes.

(b)(1) The Commission shall be composed of 19 appointed members, who shall be appointed by the Mayor with the advice and consent of the Council pursuant to section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)) ("confirmation act"), and 8 ex-officio members. All appointed members shall be residents of the District. Among the appointed members, there shall be 8 ward representatives, one from each ward, and 11 at-large representatives.

(2) To qualify as a member appointed from a ward, a person shall:

(A) Be in poverty at the time of the appointment, or have been in poverty at sometime within the previous 3 years;

(B) Have been a resident of the ward the member represents for at least one year before the date of appointment; and

(C) Remain a resident of the ward the member is appointed to represent throughout the member's term.

(3)(A) At least 2 of the members appointed at-large shall be in poverty at the time of the appointment or have been in poverty at sometime within the previous 3 years.

(B) To qualify as a member appointed at-large who is not appointed pursuant to subparagraph (A) of this paragraph, a person shall be a resident of the District and have experience in areas of public policy or programs related to the particular interests, needs, and concerns of persons in poverty, including experience working in the following areas or with the following populations:

(i) Providing direct social services, whether through a government program, faith-based organization, community-based organization, or other organization;

(ii) Healthcare access and affordability;

(iii) People with mental illness;

(iv) Children and youth;

(v) Quality and equality in education;

(vi) Low wage workers' rights;

(vii) Adults 60 years of age or older;

(viii) The elimination of hunger;

(ix) People who are homeless;

(x) People with disabilities; or

(xi) Immigrants.

(4)(A) An appointed member of the Commission shall serve a term of 3 years; except, that of the initial members, 7 members shall be appointed for a term of 3 years, 6 shall be appointed for a term of 2 years, and 6 for a term of one year.

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(B) Upon a vacancy occurring during a term, the Mayor shall appoint a successor with the advice and consent of the Council pursuant to section 2(f) of the Confirmation Act to fill the unexpired portion of the term.

(C) An appointed member may be reappointed; except, that a member may not serve more than 2 terms, exclusive of partial terms served pursuant to subparagraph (B) of this paragraph.

(5) Appointed members of the Commission shall serve without compensation; except, that expenses incurred by the Commission as a whole, or by an individual member when the expense was duly authorized by the Chairperson of the Commission, shall be reimbursed pursuant to section 1108(d) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08(d)).

(c) The following officials, or their designees, shall serve as non-voting ex-officio members, the:

- (1) Director of the Department of Human Services;
- (2) Director of the Department of Health;
- (3) Director of the Child and Family Services Agency;
- (4) Director of the Department of Employment Services;
- (5) Chancellor of the District of Columbia Public Schools;
- (6) Superintendent of the Office of the State Superintendent of Education;
- (7) Director of the Department of Aging; and
- (8) Director of the Department of Housing and Community Development.

(d) The Commission shall elect a chairperson from among its appointed members.

(e) A quorum of the Commission shall consist of a majority of the voting members.

(f) The Commission shall develop its own operating rules and procedures.

(g) The Commission may establish committees that address specific issues or populations.

Sec. 103. Commission on Poverty; functions.

(a) The Commission shall:

(1) Serve as District leaders in advancing policies and initiatives aimed at elevating the needs of persons in poverty;

(2) Review and make comments and recommendations on existing and proposed programs, policies, administrative rules, and statutes that have an impact on poverty in the District and, in particular, on District residents living in poverty;

(3) Represent the Commission and the interests of persons in poverty before District public bodies and agencies.

(4) As required by section 106, develop a comprehensive, strategic poverty-reduction plan for the reduction of poverty in the District;

(5) Following the adoption of the poverty-reduction plan, meet and issue annual reports on the poverty-reduction plan, which shall include updates on the implementation of the poverty-reduction plan and updates on District legislative and agency initiatives that address or intersect with poverty, which reports the Commission shall submit to the Mayor and the Council;

(6) On an ongoing basis and in preparation for issuance of its annual report, conduct studies and review the progress of programs and District agencies engaged in addressing poverty;

(7) Hold public meetings, hearings, and listening sessions as required by section 106 and in compliance with the Open Meetings Act, effective March 31, 2011 (D.C. Law 18-350; D.C. Official Code § 2-571 *et seq.*);

(8) Periodically conduct forums of experts on matters affecting the health, safety, and welfare of persons in poverty;

(9) Establish and maintain a publicly accessible website, on which the Commission shall post the following content:

(A) The poverty-reduction plan;

(B) The Commission's annual reports;

(C) Notice of the Commission's meetings, hearings, and listening sessions; and

(D) Any other notices or information the Commission determines appropriate.

(10) Review and comment on proposed District legislation, including the Mayor's annual budget submission to the Council, and regulations, policies, and programs that address or may have an effect on poverty;

(11) Identify and track the adoption and progress of the Commission's recommendations in the poverty-reduction plan; and

(12) Request and receive information and data from various governmental and non-governmental sources necessary to aid the Commission in the discharge of its responsibilities.

(b) To the extent not otherwise restricted by District or federal law, the Commission shall have the authority to request directly from each department, agency, or instrumentality of the District any non-confidential information considered necessary by the Commission to fulfill its mandate; and each department, agency, or instrumentality shall provide such required non-confidential information to the Commission upon its request.

Sec. 104. Commission on Poverty; meetings and listening sessions.

(a) The Commission shall meet on a regular basis, as determined by the Chairperson, but at least 6 times annually, with 4 of those meetings being listening sessions.

(b)(1) The listening sessions shall be located in communities with a high concentration of persons in poverty. The Commission shall seek the testimony of:

- (A) Individuals who have been impacted by poverty and related injustices;
- (B) Policy advocates;
- (C) Direct-service providers;
- (D) Community leaders; and
- (E) Faith and religious leaders.

(2) The purpose of the listening sessions shall be to:

(A) Document the material conditions of poverty and related issues in communities with high concentrations of persons in poverty and the impact of such conditions on residents and the community at large; and

(B) Assess the resources that already exist in the community, including leadership, grass-roots efforts, and overall resilience to determine how the District could assist the community in addressing poverty and its effects.

Sec. 105. Commission on Poverty; resources and staff.

(a)(1) The Commission shall have at least 3 paid staff persons, including an Executive Director.

(2)(A) The Mayor shall appoint the Executive Director.

(B) The Executive Director shall:

- (i) Be a resident of the District;
- (ii) Devote full time to the duties of the position;
- (iii) Report on a regular basis, as determined by the Chairperson, to

the Commission; and

(iv) Hire and supervise other Commission staff, as the approved budget for the Commission permits.

(3) At least one member of the staff shall have been in poverty at sometime within the 3-year period before the individual's date of hire.

(b)(1) Staff shall assist in the preparation of the poverty-reduction plan and annual reports, conduct the administrative activities of the Commission, and perform other duties, as directed by the Commission's Chairperson.

(2) The staff may retain outside consultants to assist with preparing and drafting the poverty-reduction plan and annual reports.

(c) The Mayor shall provide sufficient office space and technical and administrative support to assist the Commission and its staff in meeting the goals mandated by this title.

Sec. 106. Poverty-reduction plan.

(a) Within 365 days after at least 13 of the appointed members of the Commission have been appointed, and every 5 years thereafter, the Commission shall approve, by majority vote, a poverty-reduction plan and submit it to the Mayor and the Council.

(b)(1) The first poverty-reduction plan shall set forth feasible, practical actions that the District, or the District in partnership with private sector or nonprofit organizations, can take to achieve at least a 50% reduction in the District's rate of persons in poverty, as defined in the current United States Department of Health and Human Services poverty guidelines, by the year 2026. Subsequent plans shall establish 5-year goals for achieving substantial reductions in the rate of persons living in poverty.

(2) The poverty-reduction plan shall include recommendations for actions that the Mayor and the Council can take in the following areas:

(A) Bias and the relationship between poverty, race, class, and structural racism;

(B) Public and private employment practices, including government enforcement of employment and workers' rights laws and protections;

(C) Access to safe and affordable housing;

(D) Access to adequate food and nutrition;

(E) Access to affordable and quality healthcare;

(F) Equal and equitable access to quality education and job training;

(G) Dependable and affordable transportation;

(H) Access to quality and affordable childcare;

(I) The availability of adequate income supports;

(J) Opportunities to engage in permanent, sustainable work; and

(K) Any other area the Commission considers appropriate.

(3) For each action recommended, the poverty-reduction plan shall:

(A) Identify, in measurable terms, the potential impact of the recommended action on poverty reduction;

(B) Identify the policy and fiscal actions necessary to achieve the recommendation; and

(C) Provide a timeline for implementing the recommendation, including a timeline for implementing each stage of a multi-stage recommendation.

TITLE II. CONFORMING AMENDMENT

Sec. 201. Section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)), is amended as follows:

(a) Paragraph (68) is amended by striking the word "and".

(b) Paragraph (69) is amended by striking the period and inserting the phrase "; and" in its place.

(c) A new paragraph (70) is added to read as follows:

"(70) The Commission on Poverty, established by section 2 of the Commission on Poverty Establishment Amendment Act of 2020, passed on 2nd reading on December 15, 2020 (Enrolled version of Bill 23-90).

TITLE III. GENERAL PROVISIONS

Sec. 301. Applicability.

(a) This act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of this act.

Sec. 302. Fiscal impact statement.

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

Sec. 303. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973, (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia