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A BILL  
23-233

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To amend the Street and Alley Closing and Acquisition Procedures Act of 1982 to clarify the definition of a commemorative work, to change the composition of the Commemorative Works Committee, to clarify what approvals commemorative works may require from other agencies, to require a fiscal impact statement for a proposed commemorative work, to clarify procedures for recommending a commemorative work, and to encourage more commemorative works honoring diverse native Washingtonians and local history.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Diverse Washingtonians Commemorative Works Amendment Act of 2020”.

Sec. 2. The Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-202.01 *et seq.*) is amended as follows:

(a) Section 411(1)(A) (D.C. Official Code § 9-204.11(1)(A)) is amended by striking the phrase “is designed” and inserting the phrase “the primary purpose of the work is” in its place.

(b) Section 412(b) (D.C. Official Code § 9-204.12(b)) is amended to read as follows:  
“(b)(1) The Committee shall be composed of 9 voting members, 5 of whom shall be citizen members and 4 of whom shall be ex officio members.

“(2) 2 citizen members shall be appointed by the Mayor for a 3-year term.

28                   “(3) 3 citizen members shall be appointed by the Chairman of the Council for a 3-  
29 year term.

30                   “(4) The following government officials, or their designated representatives, shall  
31 serve as the ex officio members:

32                                 “(A) The Director of the Office of Planning, who shall serve as  
33 chairperson of the Committee;

34                                 “(B) The Director of the Department of Parks and Recreation;

35                                 “(C) The Chairperson of the Historic Preservation Review Board; and

36                                 “(D) The Chairperson of the Commission on the Arts and Humanities.”.

37                   (c) Section 413(a)(3) (D.C. Official Code § 9-204.13(a)(3)) is amended by striking the  
38 phrase “public utilities” and inserting the phrase “public utilities, by the Commission on Fine  
39 Arts if required by law, by the National Capital Planning Commission if required by law” in its  
40 place.

41                   (d) Section 414 (D.C. Official Code § 9-204.14) is amended to read as follows:

42                                 “Sec. 414. Applications for commemorative works.

43                                 “(a) Any sponsor may propose the placement of a commemorative work on public space  
44 in the District. Any proposal for a commemorative work on public space in the District shall be  
45 accompanied by a completed application to the Office of Planning by a sponsor. Each  
46 application shall, at a minimum, include:

47   “(1) A conceptual description of the proposed commemorative work;

48                   “(2) The proposed location of the commemorative work;

49                   “(3) For a commemoration of a person, the primary reason or reasoning that the  
50 person is proposed to be commemorated; and

51                   “(4) An explanation of how the commemorative work will be funded and  
52 maintained.

53                   “(b) The Office of Planning shall develop a procedure for receiving applications from a  
54 sponsor of a proposed commemorative work and transmitting such applications to the  
55 Committee.

56                   “(c) The Office of Planning shall accept from any member of the public  
57 recommendations for commemorative works to be considered for sponsorship by a District  
58 agency and shall share such recommendations with the Commemorative Works Committee.

59                   “(d) If a District agency is the sponsor of a commemorative work, it shall consult with the  
60 Commission on the Arts and Humanities on conceptual design for the commemorative work  
61 before submitting an application.”.

62                   (e) Section 415 (D.C. Official Code § 9-204.15) is amended as follows:

63                   (1) Subsection (a) is amended by striking the phrase “other commemorative  
64 works” and inserting the phrase “other commemorative works, especially when the subject is a  
65 member of a minority group who is a native Washingtonian or person who made Washington  
66 their home” in its place.

67                   (2) Subsection (c)(2) is amended by striking the phrase “natural resources” and  
68 inserting the phrase “natural resources. Placement should be encouraged in those areas with  
69 limited access to public art” in its place.

70                   (3) A new subsection (d) is added to read as follows:

71                   “(d) Where the Commemorative Works Committee recommends approval of a proposed  
72 commemorative work, such approval shall be accompanied by a statement of the primary  
73 reasoning for the commemoration.”.

74                   Sec. 3. Commemoration of diverse Washingtonians.

75                   (a) The University of the District of Columbia, by December 31, 2021, shall furnish to  
76 the Mayor and the Council a report recommending up to 12 proposed commemorative works to  
77 honor remarkable diverse native Washingtonians, or persons who made Washington their home,  
78 who left positive and indelible marks on American or District culture or history. The individuals  
79 shall reflect diversity of culture, race, gender or gender identity, sexual orientation, or disability  
80 status.

81                   (b) The report shall:

82                   (1) Detail the individual or group recommended for commemoration and the  
83 reasoning for the commemoration;

84                   (2) Provide a recommended geographical location for the commemoration, and  
85 why the location is being recommended, taking into consideration the goal of geographic  
86 diversity; and

87                   (3) Recommend the order of precedence of each of the recommended  
88 commemorative works.

89           Sec. 4. Applicability.

90           Section 3 of this act shall apply upon the inclusion of its fiscal effect in an approved  
91 budget and financial plan, as certified by the Chief Financial Officer to the Budget Director of  
92 the Council in a certification published by the Council in the District of Columbia Register.

93           Sec. 5. Fiscal impact statement.

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

97           Sec. 6. Effective date.

98           This act shall take effect following approval by the Mayor (or in the event of veto by the  
99 Mayor, action by the Council to override the veto), a 30-day period of congressional review as  
100 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
101 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
102 Columbia Register.