

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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 the review that commemorative works may require from other agencies, 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 § 9-201.01 *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 “which is designed” and inserting the phrase “the primary purpose of which 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) Two citizen members shall be appointed by the Mayor for a 3-year term.

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

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

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

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

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

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

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

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

“Sec. 414. Applications for commemorative works.

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

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

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

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

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

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

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

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

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

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

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

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

“(d) When the Committee recommends approval of a proposed commemorative work, the approval shall be accompanied by a statement of the primary reasoning for the commemoration.”.

Sec. 3. Commemoration of diverse Washingtonians.

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

(b) The report shall:

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

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

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

Sec. 4. Applicability.

(a) Section 3 of 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. 5. 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. 6. 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

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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