



2020 MAR -5 PM 4: 55

MURIEL BOWSER
MAYOR

MAR - 5 2020

The Honorable Phil Mendelson, Chairman
Council of the District of Columbia
1350 Pennsylvania Avenue, N.W., Suite 504
Washington, D.C. 20004

Dear Chairman Mendelson:

Today, I am transmitting to the Council of the District of Columbia for its consideration and enactment the “District of Champions Extension of Hours Amendment Act of 2020.” The proposed bill would amend D.C. Official Code § 25-723 to authorize the Alcoholic Beverage Control Board (ABC Board) to allow on-premises retailers or manufacturers holding an on-site sales and consumption permit who are registered with ABRA’s extended hours program, and temporary license holders to sell, serve, and allow the consumption of alcoholic beverages until 4 a.m. and to operate 24 hours a day on those days a District of Columbia professional sports team is playing in a postseason game.

In the past, the Council has allowed licensed establishments to operate and sell, serve, and allow the consumption of alcoholic beverages for extended periods for sporting events. Most recently in 2018, the Council passed legislation to allow for extended hours at licensed establishments during the World Cup and the 2018 All-Star Game.

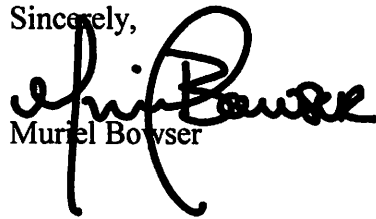
Sporting events, particularly postseason games, create a lot of excitement in the District. Over the last few years, District residents have enjoyed the successes of our professional sports teams. Thousands of people living or visiting the District of Columbia have joined to celebrate when our beloved teams were in the playoffs and finals. This bill would capitalize on this excitement by allowing the ABC Board to extend the hours of operations, sales, service, and consumption of alcoholic beverages during the postseason for those licensed establishments that are registered to participate in the extended hours program.

Unless an exception applies, a holder of an on-premise retailer license or temporary license, or a manufacturer possessing an on-site sales and consumption permit may only operate, sell, serve, and allow for the consumption of alcoholic beverages on any day and any time except for between 2:00 a.m. to 8:00 a.m., Monday through Friday, and between 3:00 a.m. and 8:00 a.m., Saturday and Sunday, excluding District and Federal holidays. *See* D.C. Official Code § 25-723(a).

The proposed bill would amend D.C. Official Code § 25-723 by adding a new subsection (g) which would provide the Board with the authority to allow on-premises retailer licensees or manufacturers holding an on-site sales and consumption permit, and temporary licensees to operate 24-hours a day and sell alcoholic beverages until 4:00 a.m., on those days in which a District of Columbia professional sports team is playing in the postseason.


I urge the Council to take prompt and favorable action on the enclosed legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "Muriel Bowser". The signature is written in a cursive style with a large, looping initial "M".

Muriel Bowser

Enclosure


Chairman Phil Mendelson
at the request of the Mayor

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend section 25-723 of the District of Columbia Official Code to provide the Alcoholic Beverage Control Board with the authority to extend the hours of operation, sale, service, and consumption of alcoholic beverages for on-premises retailers or manufacturers holding an on-site sales and consumption permit that are registered in the extended hours program, and for temporary license holders, during home and away postseason games of any District professional sports team.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the “District of Champions Extension of Hours Amendment Act of 2020”.

Sec. 2. Section 25-723 of the District of Columbia Official Code is amended by adding a new subsection (c-1) to read as follows:

“(c-1)(1) Except as provided in § 25-724, the Board may extend the hours of operation, sales, service, and consumption of alcoholic beverages during postseason games in which a District professional sports team is a participant for licensees registered with the Board to participate in the extension of hours program under subsection (c) of this section.

“(2) If the Board extends the hours of operation, sales, service, and consumption of alcoholic beverages during a postseason game pursuant to paragraph (1) of this

1 subsection, a licensee registered with the Board in the extension of hours program under
2 § 25-723(c) may sell, serve, and allow the consumption of alcoholic beverages until 4
3 a.m. and operate 24 hours a day for the postseason game day.

4 “(3) The Board shall provide written notification to the Metropolitan Police
5 Department at least 48 hours before extended hours of operation, sales, service, and
6 consumption under this subsection will take effect. The written notification shall include
7 the list of establishments eligible to participate in the extended hours under this
8 subsection.

9 “(4) To the extent feasible, the Board shall provide notice of its decision to extend
10 the hours of operation, sales, service, and consumption pursuant to this subsection in the
11 *D.C. Register*. The Board shall also post notice of its decision on ABRA’s website
12 within 24 hours after its decision.

13 “(5) For the purposes of this subsection, the term:

14 “(A) “District professional sports team” means a professional baseball,
15 basketball, football, hockey, soccer, or tennis team that plays its home games or matches
16 in the Washington-Arlington-Alexandria, DC-VA-MD-WV Metropolitan Division as
17 defined by the Office of Management and Budget as of January 1, 2020.

18 “(B) “Postseason game” means a professional baseball, basketball,
19 football, hockey, soccer, or tennis playoff or championship game.”.

20 Sec. 3. Fiscal impact statement.

21 The Council adopts the fiscal impact statement of the Chief Financial Officer as
22 the fiscal impact statement required by section 4a of the General Legislative Procedures
23 Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official § 1-301.47a).

1 Sec. 4. Effective date.

2 This act shall take effect following approval by the Mayor (or in the event of veto
3 by the Mayor, action by the Council to override the veto), a 30-day period of
4 congressional review as provided in section 602(c)(1) of the District of Columbia Home
5 Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-
6 206.02(c)(1)), and publication in the District of Columbia Register.

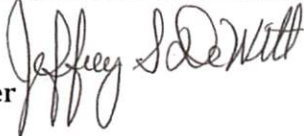
Government of the District of Columbia
Office of the Chief Financial Officer



Jeffrey S. DeWitt
Chief Financial Officer

MEMORANDUM

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Jeffrey S. DeWitt
Chief Financial Officer 

DATE: January 28, 2020

SUBJECT: Fiscal Impact Statement – District of Champions Extension of Hours
Amendment Act of 2020

REFERENCE: Draft Bill as shared with the Office of Revenue Analysis on January 15,
2020

Conclusion

Funds are sufficient in the fiscal year 2020 through fiscal year 2023 budget and financial plan to implement the bill.

Background

The Alcoholic Beverage Control Board (Board) allows licensed establishments holding on-site sales and consumption permits to serve alcohol for extended hours on various holidays and during inauguration week. The exceptions granted by the Board allow establishments to sell beverages until 4:00 a.m. and to operate for 24-hours.¹ The Board must pre-approve licensees to participate in these extended hours opportunities. The Board also approves one-time exceptions for extended hours outside of these prescribed occasions, when appropriate.

The bill establishes an additional exception to allow extended sales and operating hours when any District professional sports team is participating in a postseason game or match. The exception is available to pre-approved licensees.² The exception applies to playoff games or matches played by professional soccer, tennis, hockey, baseball, football, or basketball teams. The bill requires the Board

¹ Title 25, D.C. Code Enactment and Related Amendments Act of 2001, effective May 3, 2001 (D.C. Law 13-298; D.C. Official Code § 25-723(c) and (e)).

² Eligible licensees include on-premises retailers, manufacturers with an onsite sales and consumption permit, and a temporary license holder that is allowed to participate in the extended hours program.

The Honorable Phil Mendelson

FIS: "District of Champions Extension of Hours Amendment Act of 2020," Draft Bill as shared with the Office of Revenue Analysis on January 15, 2020

to notify the Metropolitan Police Department (MPD) at least 48 hours prior to the extended hours taking effect and include the list of participating licensees.

Financial Plan Impact

Funds are sufficient in the fiscal year 2020 through fiscal year 2023 budget and financial plan to implement the bill. The Board has approved one-time extended hours exceptions for playoff sporting events in the past. A broader exemption for future playoff games will ease the administrative burden at the Board and the Alcoholic Beverage Regulation Administration (ABRA) to approve one-time exceptions during playoff games. The Board and ABRA have a night-time enforcement staff that can absorb the enforcement activities associated with this additional exception. The Board must notify MPD when establishments will operate under extended hours, but there are no additional activities required of MPD.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Attorney General



ATTORNEY GENERAL
KARL A. RACINE

Legal Counsel Division

MEMORANDUM

TO: Ronan Gulstone
Director
Office of Policy & Legislative Affairs

FROM: Brian K. Flowers
Deputy Attorney General
Legal Counsel Division

DATE: January 14, 2020

SUBJECT: Legal Sufficiency Review of Draft Bill, "District of Champions Extension of Hours Amendment Act of 2020"
(AR-20-018)

This is to Certify that this Office has reviewed the above-referenced draft bill and found it to be legally sufficient. If you have any questions in this regard, please do not hesitate to call me at 724-5565.



Brian K. Flowers