

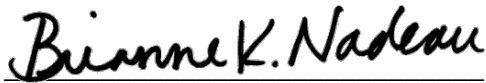
Councilmember Kenyan McDuffie



Councilmember Anita Bonds



Councilmember Elissa Silverman



Councilmember Brianne K. Nadeau



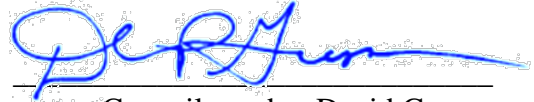
Councilmember Brandon Todd



Councilmember Vincent C. Gray



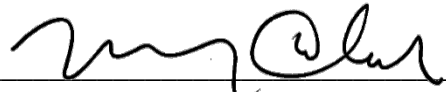
Chairman Phil Mendelson



Councilmember David Grosso



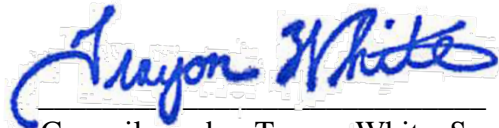
Councilmember Robert C. White, Jr.



Councilmember Mary M. Cheh



Councilmember Charles Allen



Councilmember Trayon White, Sr.

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To provide, on a temporary basis, additional protections to Districts residents and businesses during the current public health emergency.

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76 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
77 act may be cited as the “Coronavirus Omnibus Temporary Amendment Act of 2020”.

78 Sec. 2. Business interruption insurance.

79 (a)(1) Notwithstanding any provision of District law and notwithstanding the terms of  
80 any policy of insurance subject to this section (including any endorsement thereto or exclusions  
81 to coverage included therewith), every commercial policy of insurance issued by a licensed  
82 insurer and in force in the District on or as of March 25, 2020 that includes coverage for loss of  
83 business income, loss of use and occupancy, or business interruption, shall be construed to  
84 provide coverage for claims directly or indirectly resulting from a public health emergency  
85 declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,  
86 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01) (“Public Health  
87 Emergency”) beginning May 15, 2020.

88 (2) No licensed insurer may deny a claim for loss of use and occupancy, loss of  
89 business income, or business interruption due to:

90 (A) Losses arising from actions an insured takes in response to a Mayor’s  
91 Order issued during a Public Health Emergency, including the partial or complete suspension of  
92 the insured’s business activities; and

93 (B) There being no direct physical loss of or physical damage to the  
94 property of the insured, the insured’s business premises, or to any other property utilized in  
95 connection with the business.

96 (3) The coverage required by this section shall indemnify the insured, subject to  
97 the limits under the policy, for any covered loss of business income, loss of business, or business

98 interruption for the duration of the Public Health Emergency in an amount of to 50% of the  
99 losses.

100 (4) This section shall apply only to policies issued to insureds with:

101 (A) Fewer than 50 full-time employees, each of whom, as of March 25,  
102 2020, worked 25 or more hours per week; and

103 (B) Less than \$2.5 million in federal gross receipts or sales according to  
104 the most recently filed tax return.

105 (b)(1) A licensed insurer that indemnifies an insured who has filed a claim subject to  
106 subsection (a) of this section may apply to the Commissioner of the District of Columbia  
107 Department of Insurance, Securities, and Banking (“Commissioner”) for reimbursement from  
108 funds collected and made available for this purpose as provided in section 3(b-3) of the  
109 Insurance Regulatory Trust Fund Act of 1993, effective October 21, 1993 (D.C. Law 10-40; D.C.  
110 Official Code § 31-1202(b-3)).

111 (2) The Commissioner shall establish procedures for the submission and  
112 qualification of claims by licensed insurers that are eligible for reimbursement pursuant to this  
113 subsection. The Commissioner shall incorporate in these procedures such standards as are  
114 necessary to protect against the submission of fraudulent claims by insureds, and appropriate  
115 safeguards for insurers to employ in the review and payment of such claims.

116 (c)(1) The Commissioner is authorized to make one or more assessments in each fiscal  
117 year against all domestic and foreign licensed insurers in the District that sell business-  
118 interruption insurance as may be necessary to recover the amounts paid, or estimated to be paid,  
119 to insurers pursuant to subsection (b) of this section. Any such assessment shall be made at a  
120 rate that shall be determined and certified by the Commissioner as sufficient to recover the

121 amounts paid to insurers pursuant to subsection (b) of this section. The amount to be so assessed  
122 shall be made against all domestic and foreign licensed insurers in proportion to their net  
123 premiums written in the District as shown in the annual report each of the said insurers filed with  
124 the Department of Insurance, Securities, and Banking in the preceding year. Said assessment  
125 shall reimburse the District for funds appropriated for such reimbursement. Assessments under  
126 this section shall be charged to the normal operating cost of each company.

127 (2) Any assessment made pursuant to this section is not subject to the provisions  
128 of section 4(a) of the Insurance Regulatory Trust Fund Act of 1993, effective October 21, 1993  
129 (D.C. Law 10-40; D.C. Code § 31-1203(a)).

130 (3) The Commissioner or his or her designee is authorized to hire firms,  
131 consultants, attorneys and other experts to assist the Commissioner in administering the  
132 assessment process, and to conduct audits of any licensed insurer that has sought reimbursement  
133 for claims paid pursuant to subsection (b)(2) of this section. The Commissioner may retain  
134 auditors, examiners or other experts to perform the audits prescribed under this paragraph, and  
135 may charge the insurers for any costs associated with administering the act and the costs of the  
136 audits.

137 (d) Section 3 of the Insurance Regulatory Trust Fund Act of 1993, effective October 21,  
138 1993 (D.C. Law 10-40; D.C. Official Code § 31-1202), is amended by adding a new subsection  
139 (b-3) to read as follows:

140 “(b-3)(1) There is established as separate account within the Insurance Regulatory Trust  
141 Fund, the Business Interruption Insurance Reimbursement Account (“Account”), which shall be  
142 administered by the Department of Insurance, Securities, and Banking in accordance with  
143 paragraph (3) of this subsection.

144                   “(2) All assessments received by the Commissioner pursuant to section 2(c) of the  
145 Coronavirus Omnibus Emergency Amendment Act of 2020, passed on emergency basis on May  
146 5, 2020 (Enrolled version of Bill 23-XX) (“Business Interruption Insurance Act”), shall be  
147 deposited in, and credited to, the Account.

148                   “(3) Money in the Account shall be used for the purpose of administering section  
149 2(b) of the Business Interruption Insurance Act.

150                   “(4) The money deposited into the Account but not expended in a fiscal year shall  
151 not revert to the unassigned fund balance of the General Fund of the District of Columbia at the  
152 end of a fiscal year, or at any other time.

153                   (e) For the purposes of this section, the term “licensed insurer” shall have the same  
154 meaning as provided in section 2(7) of the Business Transacted with Producer Controlled Insurer  
155 Act of 1993 (D.C. Law 10-52; D.C. Official Code § 31-401(7)).”.

156                   Sec. 3. Alcoholic beverage regulation.

157                   Title 25 of the District of Columbia Official Code is amended as follows:

158                   (a) Section 25-113(a)(3) is amended by adding a new subparagraph (D) to read as  
159 follows:

160                   “(D)(i) An on-premises retailer’s licensee, class C/R, D/R, C/T, D/T, C/H,  
161 D/H, C/N, D/N, C/X, or D/X, including a multipurpose facility or private club, that is registered  
162 with the Board under subparagraph (C) of this paragraph also may register with the Board to sell  
163 beer, wine, or spirits in closed containers accompanied by one or more prepared food items for  
164 off-premises consumption from one additional location other than the licensed premises. Board  
165 approval shall not be required for the additional registration under this subsection; provided, that:

166 “(I) The licensee separately registers with the Board and  
167 receives written authorization from ABRA prior to offering alcoholic beverages for carryout or  
168 delivery at the additional location;

169 “(II) The licensee, the additional location’s owner, or a  
170 prior tenant at the additional location possesses a valid certificate of occupancy for the building  
171 used as the additional location, unless the additional location is located on outdoor private space;

172 “(III) The licensee has been legally authorized by the  
173 owner of the building or the property utilized as the additional location to utilize the space for  
174 carryout and delivery;

175 “(IV) The licensee agrees to follow all applicable DCRA  
176 and DOH laws and regulations; and

177 “(V) The additional location from which the licensee  
178 intends to offer alcoholic beverages for carryout or delivery is located in a commercial or mixed-  
179 use zone as defined in the zoning regulations for the District.

180 “(ii) The on-premises retailer licensee shall not offer beer, wine, or  
181 spirits for carryout and delivery on public space; except, that an additional location under this  
182 subparagraph may include a sidewalk café that has been issued a public-space permit by DDOT.

183 “(iii) The on-premises retailer licensee who has been registered to  
184 offer beer, wine, or spirits for carryout or delivery in accordance with this subparagraph shall do  
185 so only at the additional location.

186 “(iv) An on-premises retailer licensee who has been registered to  
187 offer beer, wine, or spirits for carryout or delivery in accordance with this subparagraph may do  
188 so for no longer than 30 calendar days. The Board may approve a written request from an on-

189 premises licensee to extend carryout or delivery alcohol sales from an additional location  
190 pursuant to this subparagraph for one additional 30 calendar-day period. A licensee shall not  
191 offer beer, wine, or spirits for carryout or delivery for off-premises consumption from the  
192 additional location for more than 60 calendar days unless a completed application to do so has  
193 been filed with the Board with notice provided to the public in accordance with § 25-421.

194                   “(v) The on-premises retailer licensee may sell and deliver  
195 alcoholic beverages for carryout and delivery from an additional location in accordance with this  
196 subparagraph only between the hours of 7:00 a.m. and midnight, 7 days a week.

197                   “(vi) The Board may fine, suspend, cancel, or revoke an on-  
198 premises retailer’s license, and shall revoke its registration to offer beer, wine, or spirits for  
199 carryout or delivery at the additional location if the licensee fails to comply with sub-  
200 subparagraphs (i)-(v) of this subparagraph.”.

201           (b) Chapter 4 is amended as follows:

202                   (1) Section 25-401(c) is amended by striking the phrase “shall sign a notarized  
203 statement certifying” and inserting the phrase “shall sign a statement with an original signature,  
204 which may be a signature by wet ink, an electronic signature, or a signed copy thereof,  
205 certifying” in its place.

206                   (2) Section 25-403(a) is amended by striking the phrase “verify, by affidavit,” and  
207 inserting the phrase “self-certify” in its place.

208                   (3) Section 25-421(e) is amended by striking the phrase “by first-class mail,  
209 postmarked not more than 7 days after the date of submission” and inserting the phrase “by  
210 electronic mail on or before the first day of the 66-day public comment period” in its place.

211                   (4) Section 25-423 is amended as follows:



212 (A) Subsection (e) is amended as follows:

213 (i) Strike the phrase “45-day protest period” and insert the phrase  
214 “66-day protest period” in its place.

215 (ii) Strike the phrase “45 days” and insert the phrase “66 days” in  
216 its place.

217 (B) Subsection (h) is amended by striking the phrase “45-day public  
218 comment period” and inserting the phrase “66-day public comment period “in its place.

219 (5) Section 25-431 is amended as follows:

220 (A) Subsection (f) is amended by striking the phrase “45-day protest  
221 period” and inserting the phrase “66-day protest period” in its place.

222 (B) Subsection (g) is amended by striking the phrase “45 days” and  
223 inserting the phrase “66 days” in its place.

224 (c) Section 25-791(a)(1) is amended by striking the phrase “21 or more calendar days,”  
225 and inserting the phrase “21 or more calendar days, excluding each day during a period of time  
226 for which the Mayor has declared a public health emergency pursuant to section 5a of the  
227 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-  
228 194; D.C. Official Code § 7-2304.01),” in its place.

229 Sec. 4. Corporate filing extension clarification.

230 Amendatory section 29-102.12(e) of the District of Columbia Official Code, within  
231 section 204 of the COVID-19 Response Emergency Amendment Act of 2020, effective March  
232 17, 2020 (D.C. Act 23-247; 67 DCR 3093), is amended to read as follows:

233           “(e) There shall be no late fee for delivering the biennial report for 2020 required by  
234 section 29-102.11(c); provided, that the biennial report for 2020 be delivered to the Mayor for  
235 filing by June 1, 2020.”.

236           Sec. 5. Cooperative association remote meetings.

237           Title 29 of the District of Columbia Official Code is amended as follows:

238           (a) Section 405.01(e) (D.C. Official Code § 29-405.01(e) is amended by striking the  
239 phrase “The articles of incorporation or bylaws may provide that an annual” and inserting the  
240 phrase “An annual” in its place.

241           (b) Section 901 (D.C. Official Code § 29-901) is amended by striking the phrase “If  
242 authorized by the articles or bylaws” and inserting the phrase “During a period for which a  
243 public health emergency has been declared pursuant to section 5a of the District of Columbia  
244 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194, D.C. Official  
245 Code § 7-2304.01), regardless of whether remote regular and special meetings of members are  
246 authorized by the articles or bylaws” in its place.

247           Sec. 6. Trade name renewals and taxation of microgrants.

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

249           (a) Section 47-1803.02(a)(2) is amended by adding a new subparagraph (HH) to read as  
250 follows:

251                           “(HH) Public health emergency small business grants awarded pursuant to  
252 section 202 of the COVID-19 Response Emergency Amendment Act of 2020, effective March  
253 17, 2020 (D.C. Act 23-247; 67 DCR 3093).”

254           (b) Section 47-2855.04 is amended by adding a new subsection (c) to read as follows:

255           “(c) There shall be no late fee for trade name renewal applications required by rules  
256 promulgated under subsection (a) of this section to be filed by April 1, 2020; provided, that the  
257 trade name renewal application be filed by June 1, 2020.”.

258           Sec. 7. Third-party food delivery commissions.

259           (a) A person, corporation, partnership, or association operating a third-party food  
260 platform within the District shall register with the Department.

261           (b) Notwithstanding any provision of District law, during a period of time for which the  
262 Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia  
263 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official  
264 Code § 7-2304.01), it shall be unlawful for a person to cause a third-party food delivery platform  
265 to charge a restaurant a commission fee for the use of the platform’s services for delivery or  
266 pick-up that totals more than 15% of the purchase price per online order.

267           (c) It shall be unlawful for a person to cause a third-party food delivery platform to  
268 reduce the compensation rate paid to a delivery service driver, or garnish gratuities, in order to  
269 comply with subsection (a) of this section.

270           (d) At the time a final price is disclosed to a customer for the intended purchase and  
271 delivery of food from a restaurant through a third-party food delivery platform, and before that  
272 transaction is completed by the customer, the third-party food delivery platform shall disclose to  
273 the customer, in plain language and in a conspicuous manner, any commission, fee, or any other  
274 monetary payment imposed by the third-party food delivery platform on the restaurant as a term  
275 of a contract or agreement between the platform and the restaurant in connection with the  
276 restaurant’s use of the platform.

277 (e)(1) A person who violates this section shall be subject to a fine of not less than \$250  
278 and not more than \$1,000 for each such violation.

279 (2) A violation of this section shall be a civil infraction for purposes of the  
280 Department of Consumer and Regulatory Affairs Civil Infections Act of 1985, effective October  
281 5, 1985 (D.C. Law 6-472; D.C. Official Code § 2-1801.01 *et seq.*).

282 (f) For purposes of this section:

283 (1) “Online order” means an order placed by a customer through a platform  
284 provided by the third-party food delivery service for delivery or pickup within the District.

285 (2) “Purchase price” means the menu price of an online order, excluding taxes,  
286 gratuities or any other fees that may make up the total cost to the customer of an online order.

287 (3) “Restaurant” shall have the same meaning as provided in § 25-101(43).

288 (4) “Third-party food delivery platform” means any website, mobile application,  
289 or other internet service that offers or arranges for the sale of food and beverages prepared by,  
290 and the same-day delivery or same-day pickup of food and beverages from, restaurants.

291 (g) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure  
292 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue  
293 rules to implement the provisions of this section.

294 Sec. 8. Emergency credit alerts.

295 Chapter 38 of Title 28 of the District of Columbia Official Code is amended as follows:

296 (a) A new section 28-3862.01 is added to read as follows:

297 “§ 28-3862.01. COVID-19 Emergency Credit Alert.

298 “(a) If a consumer demonstrates evidence of financial hardship resulting directly or  
299 indirectly from the cause of the public health emergency during the period of time for which the

300 Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia  
301 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official  
302 Code § 7-2304.01), and for 60 days following (“covered time period”), a consumer reporting  
303 agency that maintains a file on the consumer shall include an alert (“COVID-19 alert”) in that  
304 file indicating that the consumer has been financially impacted by the COVID-19 emergency and  
305 shall provide that alert along with or accompanying any consumer report or credit score provided  
306 by the agency, beginning on the date of such request, unless the consumer requests that such  
307 COVID-19 alert be removed.

308 “(b)(1) No user of a consumer report shall use or take into consideration any adverse  
309 information in a report that was the result of an action or inaction by a consumer that occurred  
310 during the covered time period if there is a COVID-19 alert included along with or  
311 accompanying the consumer’s report or provided with the consumer’s credit score pursuant to  
312 subsection (a) of this section.

313 “(2) This subsection shall not apply to the use of a consumer report for  
314 prescreening, to make a solicitation for marketing purposes, or to provide an unsolicited firm  
315 offer of credit or insurance, or to any use the prohibition of which is not consistent with the Fair  
316 Credit Reporting Act, approved October 26, 1970 (84 Stat. 1128; 15 U.S.C. Section 1681, *et*  
317 *seq.*)

318 “(c) This section shall not apply to a national bank, as defined by section 25b of the  
319 National Bank Act, approved June 3, 1864 (18 Stat. 123; 12 U.S.C. § 25b(a)(1)), or a federal  
320 savings association, as defined by Section 1462 of the Home Owners’ Loan Act, approved  
321 August 9, 1989 (103 Stat. 277; 12 U.S.C. § 1462(3)), but this exception shall not apply to any

322 entity to which the savings clause at Section 25b of the National Bank Act, approved June 3,  
323 1864 (18 Stat. 123; 12 U.S.C. § 25b(b)(2)) applies.

324 “(d) When a District resident requests a copy of a credit report pursuant to Section 1681j  
325 of the Fair Credit Reporting Act, approved October 26, 1970 (84 Stat. 1128; 15 U.S.C. § 1681j),  
326 the entity providing the credit report must notify the resident of their right to request a COVID-  
327 19 alert to accompany the credit report .

328 “(e)(1) If any person or entity violates this section, the affected consumer may bring a  
329 civil action for:

330 “(A) Injunctive relief to prevent or restrain further violation of this  
331 subsection;

332 “(B) Actual damages; and

333 “(C) Reasonable attorney’s fees and costs of the action.

334 “(2) If a credit reporting agency willfully violates this subsection, the affected  
335 consumer may obtain punitive damages, except in the case of negligence as provided in Section  
336 1681h(e) of the Fair Credit Reporting Act, approved October 26, 1970 (84 Stat. 1128; 15 U.S.C.  
337 Section 1681h(e)).

338 “(f)(1) The Attorney General may petition the Superior Court of the District of Columbia  
339 for temporary or permanent injunctive relief against, and for an award of restitution for property  
340 lost or damages suffered by a consumer as a consequence of, a violation of this subchapter, or  
341 fraudulent or deceptive conduct in violation of this subsection that harms a DC resident.

342 “(2) In an action under this section, the Attorney General may recover:

343 “(A) A civil penalty not to exceed \$1,000 for each violation; and

344 “(B) Reasonable attorney’s fees and costs of the action.”

345           Sec. 9. Rental tenant payment plans.

346           (a) During a period of time for which the Mayor has declared a public health emergency  
347 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective  
348 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and for the lesser of one  
349 year thereafter or the cessation of the tenancy, whichever occurs first (“covered time period”), a  
350 provider shall develop a rent-payment-plan program (“Program”) for eligible residential and  
351 commercial tenants. Under the Program, a provider shall:

352                   (1) Permit an eligible tenant to enter into a payment plan for rent that comes due  
353 during the covered time period (“payment plan”);

354                   (2) Waive any fee or penalty arising out of the entering into a payment plan;

355                   (3) Not report to a credit bureau as delinquent the rent that is subject to the  
356 payment plan or report the payment plan as derogatory information; and

357                   (4) Notify all tenants of the availability, terms, and application process for the rent  
358 payment program.

359           (b)(1) A provider shall permit a tenant with a payment plan to pay an amount greater than  
360 the monthly amount provided for in the payment plan.

361                   (2) A provider shall not require or request a tenant to provide a lump-sum  
362 payment in excess of the amount required under a payment plan.

363                   (3) A provider shall agree in writing to the terms of the payment plan.

364                   (4) A provider may use any security deposit, last month’s rent, or other amount  
365 held by the provider on behalf of the tenant to satisfy amounts owed under a payment plan;  
366 provided, that the tenant agrees in writing to such use.

367 (c) A provider shall establish procedures governing how tenants are to apply for its  
368 Program, including requiring a tenant to submit supporting documentation. An application shall  
369 be made available online and by telephone.

370 (d) A provider shall approve each application in which a tenant:

371 (1) Demonstrates to the provider evidence of a financial hardship resulting  
372 directly or indirectly from the public health emergency:

373 (A) That is in addition to any delinquency or future inability to make  
374 rental payments in existence prior to the start of the public health emergency; and

375 (B) That would cause the tenant to be unable to qualify to rent the unit  
376 based on application of the same qualification criteria that were applied to the tenant at the time  
377 he or she was approved to rent the unit, provided that any tenant not currently receiving ; and

378 (2) Agrees in writing to make payments in accordance with the payment plan.

379 (e)(1) A provider who receives an application for a payment plan pursuant to this section  
380 shall retain the application, whether approved or denied, for at least 3 years.

381 (2) Upon request, a provider shall make an application for a payment plan  
382 available to:

383 (A) For residential tenants, the Rent Administrator and Office of the  
384 Tenant Advocate; and

385 (B) For commercial tenants, the Department of Consumer and Regulatory  
386 Affairs.

387 (f)(1) A residential tenant whose application for a payment plan is denied may file a  
388 written complaint with the Rent Administrator and any such complaint shall be forwarded to the  
389 Office of Administrative Hearings for adjudication.



390 (2) A commercial tenant whose application for a payment plan is denied may file  
391 a written complaint with the Department of Consumer and Regulatory Affairs and any such  
392 complaint shall be forwarded to the Office of Administrative Hearings for adjudication.

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

394 (1) “Eligible tenant” means a tenant of a residential or commercial retail property  
395 that:

396 (A) Has notified the landlord of an inability to pay all or a portion of the  
397 rent due as a result of the public health emergency;

398 (B) Is not currently receiving a rent reduction pursuant to Section 202 of  
399 the COVID-19 Response Emergency Amendment Act of 2020, effective March 17, 2020 (D.C.  
400 Act 23-247; 67 DCR 3093), provided that any tenant not currently receiving such a rent  
401 reduction otherwise remains eligible under this section; and

402 (C) Is not a franchise, unless the franchise is owned by a District resident  
403 and operated in the District.

404 (2) “Housing provider” means a person who is:

405 (A) A residential landlord, residential owner, residential lessor, residential  
406 sublessor, residential assignee, or their agent or any other person receiving or entitled to receive  
407 the rents or benefits for the use or occupancy of any residential rental unit within a housing  
408 accommodation within the District; and

409 (B) Has 5 or more residential units currently rented or available for rent.

410 (3) “Non-housing provider” means a person who is a non-residential landlord,  
411 non-residential owner, non-residential lessor, non-residential sublessor, non-residential assignee,

412 a non-residential agent of a landlord, owner, lessor, sublessor, or assignee, or any other person  
413 receiving or entitled to receive rents or benefits for the use or occupancy of a commercial unit.

414 (4) “Provider” means a housing provider or a non-housing provider.

415 Sec. 10. DC Water payment plans.

416 Amendatory section 103(c) of the District of Columbia Public Works Act of 1954,  
417 approved May 18, 1954 (68 Stat. 102; D.C. Code § 34-2407.01(c)), within section 307 of the  
418 COVID-19 Response Emergency Amendment Act of 2020, effective March 17, 2020 (D.C. Act  
419 23-247; 67 DCR 3093), is amended by adding a new paragraph (3) to read as follows:

420 “(3)(A) During a period of time for which the Mayor has declared a public health  
421 emergency, and for one year thereafter (“covered time period”), the District of Columbia Water  
422 and Sewer Authority (“Authority”) shall develop a payment plan program (“Program”) for  
423 eligible customers. Under the Program, the Authority shall:

424 “(i) Permit an eligible customer to enter into a payment plan for  
425 any amount that comes due during the covered time period (“payment plan”);

426 “(ii) Waive any fee or penalty arising out of the entering into of a  
427 payment plan; and

428 “(iii) Not report to a credit bureau as delinquent the rent that is  
429 subject to the payment plan or report the payment plan as derogatory information.

430 “(B)(i) A payment plan shall be offered and made available for a  
431 minimum length of one year, and shall provide for payments to be made in monthly installments;  
432 except, that the term of a payment plan may be shorter than one year at the request of the  
433 customer.

434                                   “(ii) The Authority shall permit a customer with a payment plan to  
435 pay an amount greater than the monthly amount provided for in the payment plan.

436                                   “(iii) The Authority shall not require or request that a customer  
437 provide a lump-sum payment in excess of the amount required under a payment plan.

438                                   “(C) The Authority shall not disconnect water service for non-payment of  
439 a bill or fees during the period of a public health emergency or for 15 days thereafter when a  
440 customer has entered into a payment plan and has made payments in accordance with the terms  
441 of the payment plan.

442                                   “(D) The Authority shall establish procedures governing how customers  
443 are to apply for the Program, including requiring a customer to submit supporting  
444 documentation. An application shall be made available online and by telephone.

445                                   “(E) The Authority shall approve each application in which a customer:

446                                   “(i) Demonstrates to the Authority evidence of a financial hardship  
447 resulting directly or indirectly from the cause of the public health emergency, regardless of an  
448 existing delinquency or a future inability to make payments established prior to the start of the  
449 public health emergency; and

450                                   “(ii) Agrees in writing to make payments in accordance with the  
451 payment plan.

452                                   “(F)(i) The Authority shall retain an application for a payment plan  
453 pursuant to this section, whether approved or denied, for at least 3 years.

454                                   “(ii) Upon request, the Authority shall make an application for a  
455 payment plan available to the Office of the People’s Counsel.

456                   “(G) A customer whose application for a payment plan is denied may file  
457 a written complaint with the Office of Administrative Hearings.”.

458           Sec. 11. Commercial tenant rent increase clarification.

459           Amendatory section 203(e) of the COVID-19 Response Supplemental Emergency  
460 Amendment Act of 2020, effective April 10, 2020 (D.C. Act 23-286; 66 DCR 4178) within  
461 section 2(b) of the COVID-19 Supplemental Corrections Emergency Amendment Act of 2020,  
462 passed on emergency basis on April 21, 2020 (Enrolled version of Bill 23-735), is amended as  
463 by striking the phrase “commercial property” and inserting the phrase “commercial retail  
464 property” in its place.

465           Sec. 12. Eviction clarification

466           Section 16-1501 of the District of Columbia Official Code is amended as follows:

467           (a) The existing text is designated as subsection (a).

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

469           “(b) During a period of time for which the Mayor has declared a public health emergency  
470 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective  
471 October 17, 2002 (D.C. Law 14-194; D.C. Official Code 7-2304.01), and for 30 days thereafter,  
472 the person aggrieved shall not file a complaint seeking relief pursuant to this section.”.

473           Sec. 13. Amenity fees.

474           Section 211 of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10;  
475 D.C. Official Code § 42-3502.11), is amended as follows:

476           (a) The existing text is redesignated as subsection (a)

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

478           “(b) If, during a public health emergency that has been declared pursuant to section 5a of  
479 the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law  
480 14-194, D.C. Official Code § 7-2304.01) and consistent with applicable law or an Order issued  
481 by the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,  
482 effective October 17, 2002 (D.C. Law 14-194, D.C. Official Code § 7-2304.01), a housing  
483 provider temporarily stops providing:

484                   “(1) An amenity that a tenant pays for in addition to the rent charged, then the  
485 housing provider shall refund to the tenant pro rata any fee charged to the tenant for the amenity  
486 during the public health emergency; or

487                   “(2) A service or facility that is lawfully included in the rent charged, then the  
488 housing provider shall not be required to reduce the rent charged pursuant to section 211 of the  
489 Rental Housing Act of 1985 (D.C. Code sec. 42-3502.11).”.

490           Sec. 14. Residential accommodation cleaning requirements.

491           (a) During a period for which a public health emergency has been declared pursuant to  
492 section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002  
493 (D.C. Law 14-194, D.C. Official Code § 7-2304.01), the owner or representative of the owner of  
494 a housing accommodation shall clean common areas of the housing accommodation on a regular  
495 basis, including surfaces that are regularly touched, such as doors, railings, seating, and the  
496 exterior of mailboxes.

497           (b) For the purposes of this section “housing accommodation” means any structure or  
498 building in the District containing one or more residential units that are not occupied by the  
499 owner of the housing accommodation, including any apartment, efficiency apartment, room,

500 accessory dwelling unit, cooperative, homeowner association, condominium, multifamily  
501 apartment building, nursing home, assisted living facility, and group home.

502 (c) The Mayor may, pursuant to Title I of the District of Columbia Administrative  
503 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 et seq.),  
504 promulgate rules to implement this section.

505 Sec. 15. Out of school time report waiver.

506 Section 8 of the Office of Out of School Time Grants and Youth Outcomes Establishment  
507 Act of 2016, effective April 7, 2017 (D.C. Law 21-261; D.C. Official Code § 2-1555.07), is  
508 amended by adding a new subsection (c) to read as follows:

509 “(c) During a period of time for which the Mayor has declared a public health emergency  
510 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective  
511 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7- 2304.01) the Office of Out of  
512 School Time Grants and Youth Outcomes (OST Office) may waive the requirement to conduct  
513 an annual, community-wide needs assessment pursuant to subsection (a)(1) of this section.”.

514 Sec. 16. UDC Board of Trustees terms.

515 Section 201 of the District of Columbia Public Postsecondary Education Reorganization  
516 Act, approved October 26, 1974 (88 Stat. 1423; D.C. Official Code § 38-1202.01(d)-(f)) is  
517 amended as follows:

518 (a) Subsection (d) is amended to read as follows:

519 “(d) All terms on the Board of Trustees shall begin on May 15th and shall end one or 5  
520 years thereafter on May 14th. The student member elected pursuant to (c)(2) of this section shall  
521 serve for a term of one year. All other members shall serve for a term of 5 years. Depending on

522 the date of his or her election or appointment, a member of the Board of Trustees may not  
523 actually serve a full term.

524 (b) Subsection (e) is amended to read as follows:

525 “(e) A member of the Board of Trustees who is elected as an alumnus or alumna pursuant  
526 to (c)(3) of this section may be re-elected to serve one additional term, after which the individual  
527 may not again be elected pursuant to (c)(3) of this section until at least 5 years have passed  
528 following his or her last day of service on the Board.

529 (c) Subsection (f) is amended to read as follows:

530 “(f) A member of the Board of Trustees who is appointed pursuant to (c)(1) of this  
531 section may serve 3 full or partial terms consecutively. No member shall serve for more than 15  
532 consecutive years regardless of whether elected or appointed and shall not serve thereafter until  
533 at least 5 years have passed following his or her last day of service on the Board.”.

534 Sec. 17. Notice of modified staffing levels.

535 Section 504(h-1)(1)(B) of the Health-Care and Community Residence Facility Hospice  
536 and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C.  
537 Official Code § 44-504(h-1)(1)(B)), is amended as follows:

538 (a) Sub-subparagraph (i) is amended by striking the phrase “; and” and inserting a  
539 semicolon in its place.

540 (b) Sub-subparagraph (ii) is amended by striking the semicolon and inserting the phrase  
541 “; and” in its place.

542 (c) A new sub-subparagraph (iii) is added to read as follows:

543 “(iii) Provide a written report of the staffing level to the Department of  
544 Health for each day that the facility is below the prescribed staffing level as a result of the

545 circumstances giving rise to a public health emergency during a period of time for which the  
546 Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia  
547 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official  
548 Code § 7-2304.01).”.

549           Sec. 18. Long-Term Care Facility Reporting of Positive Cases.

550           “Each long-term care facility located in the District shall report daily to the Department  
551 of Health both the number of novel 2019 coronavirus (SARS-CoV-2) positive cases and number  
552 of novel 2019 coronavirus (SARS-CoV-2)-related deaths for both employees and residents of the  
553 long-term care facility during the period of time for which the Mayor has declared a public  
554 health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of  
555 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and for 60  
556 days thereafter.

557

558           Sec. 18. Contact tracing hiring requirements.

559           An Act to authorize the Commissioners of the District of Columbia to make regulations  
560 to prevent and control the spread of communicable and preventable diseases, approved August  
561 11, 1939 (53 Stat. 1408; D.C. Official Code § 7-131 et seq.), is amended by adding a new section  
562 9a to read as follows

563           “Sec.9a. Contract tracing hiring requirements.

564           “Of the number of persons hired by the Department of Health for positions, whether a  
565 temporary or permanent position, under the Contact Trace Force initiative to contain the spread  
566 of the novel coronavirus 2020 in the District, the Director of the Department of Health shall  
567 establish a goal and make the best effort to hire at least 50% District residents and for the



568 position of investigator, whether a temporary or permanent position, and establish a goal and  
569 make the best effort to hire at least 25% graduates from a workforce development or adult  
570 education program funded or administered by the District of Columbia.”.

571 Sec. 20. Shared Work Program Clarification

572 (a) Section 2(5) of the Keep D.C. Working Act of 2010, effective October 15,  
573 2010 (D.C. Law 18-238; D.C. Official Code § 51-171(5), is amended to read as follows:

574 “(5) “Normal weekly hours of work” means the usual hours of work for full-time  
575 or part-time employees in the affected unit when that unit is operating on its regular basis, not to  
576 exceed 40 hours and not including hours of overtime work.”.

577 (b) Section 102 of the COVID-19 Response Supplemental Emergency Amendment Act  
578 of 2020, effective April 10, 2020 (D.C. Act 23-286; 67 DCR 4178), is amended as follows:

579 (1) Subsection (a) is repealed.

580 (2) Amendatory section 5(c) of the Keep D.C. Working Act of 2010, effective  
581 October 15, 2010 (D.C. Law 18-238; D.C. Official Code § 51-174(c)), within subsection (b)(2),  
582 is amended to read as follows:

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

584 “(1) To provide payments to an individual if the individual is employed by the  
585 participating employer on a seasonal, temporary, or intermittent basis; or

586 “(2) Employers that have reported quarterly earnings to the Department of  
587 Employment Services for fewer than three quarters.”.

588 (3) Subsection (b)(3) is amended by striking the number “7th” and inserting the number “15th”  
589 in its place.

590 Sec. 21. Paid sick leave enforcement clarification.

591           Amendatory section 1152(b-1) of the Universal Paid Leave Implementation Fund Act of  
592 2016, effective October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 32-551.01), within  
593 section 104 of the COVID-19 Response Supplemental Emergency Amendment Act of 2020,  
594 effective April 10, 2020 (D.C. Act 23-286; 67 DCR 4178), is amended to read as follows:

595           “(b-1)(1) Notwithstanding subsections (b) and (f) of this section, during the COVID-19  
596 emergency or any declared public health emergency, no more than \$500,000 of the money in the  
597 Fund may be used for activities related to enforcement of the declared emergency leave  
598 requirement contained in Section 3a of the Accrued Sick and Safe Leave Act of 2008, effective  
599 April 10, 2020 (D.C. Act 23-286; D.C. Official Code § 32-531.02a).”.

600           Sec. 22. Composting virtual training.

601           Section 112a(f) of the Sustainable Solid Waste Management Amendment Act of 2014,  
602 effective February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 8-1031.12a(f)), is amended  
603 by adding a new paragraph (1A) to read as follows:

604           “(1A) Notwithstanding paragraph (1) of this subsection, during a period of time  
605 for which the Mayor has declared a public health emergency pursuant to section 5a of the  
606 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-  
607 194; D.C. Official Code § 7-2304.01), the Mayor, or a contractor selected by the Mayor, may  
608 provide the training required by paragraph (1) of this subsection remotely through  
609 videoconference.”.

610           Sec. 23. Ballot access reform.

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

613           (a) Section 8 (D.C. Official Code § 1-1001.08) is amended as follows:

614 (1) Subsection (b) is amended by adding a new paragraph (3A) to read as follows:

615 “(3A) For the November 3, 2020, General Election:

616 “(A) Petition sheets circulated in support of a candidate for elected office  
617 pursuant to this act may be electronically:

618 “(i) Made available by the candidate to qualified petition circulators;  
619 and

620 “(ii) Returned by qualified petition circulators to the candidate; and

621 “(B) Signatures on such petition sheets shall not be invalidated because the  
622 signer was also the circulator of the same petition sheet on which the signature appears.”.

623 (2) Subsection (j) is amended as follows:

624 (A) Paragraph (1) is amended by striking the phrase “A duly” and inserting  
625 the phrase “Except as provided in paragraph (4) of this subsection, a duly” in its place.

626 (B) A new paragraph (4) is added to read as follows:

627 “(4) A duly qualified candidate for the following offices for the November 3, 2020,  
628 General Election may be nominated directly for election to such office by petition, filed with the  
629 Board not fewer than 90 days before the date of such General Election, and signed by the number  
630 of voters duly registered under section 7 as follows:

631 “(A) For Delegate or at-large member of the Council, 250 voters; and

632 “(B) For member of the Council elected by ward, 150 voters who are  
633 registered in the ward from which the candidate seeks election.”.

634 (3) Subsection (n) is amended as follows:

635 (A) The existing text is designated as paragraph (1).

636 (B) The newly designated paragraph (1) is amended by striking the phrase  
637 “Each candidate” and inserting the phrase “Except as provided in paragraph (2) of this subsection,  
638 each candidate” in its place.

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

640 “(2) A duly qualified candidate for the following offices for the November 3, 2020,  
641 General Election may be nominated directly for election to such office by petition, filed with the  
642 Board not fewer than 90 days before the date of such General Election, and signed by the number  
643 of voters duly registered under section 7 as follows:

644 “(A) For member of the State Board of Education elected at-large, 150  
645 voters; and

646 “(B) For member of the State Board of Education elected by ward, 50 voters  
647 who are registered in the ward from which the candidate seeks election.”.

648 (b) Section 16 (D.C. Official Code § 1-1001.16) is amended as follows:

649 (1) Subsection (g) is amended by striking the phrase “white paper of good writing  
650 quality of the same size as the original or shall utilize the mobile application made available  
651 under section 5(a)(19). Each initiative or referendum petition sheet shall consist of one double-  
652 sided sheet providing numbered lines for 20 printed” and inserting the phrase “paper of good  
653 writing quality or shall utilize the mobile application made available under section 5(a)(19).  
654 Each initiative or referendum petition sheet shall consist of one sheet providing numbered lines  
655 for printed” in its place.

656 (2) A new subsection (g-1) is added to read as follows:

657 “(g-1) In calendar year 2020:

658 “(1) Petition sheets of proposers may be electronically:

659                   “(A) Made available by the proposers to qualified petition circulators; and  
660                   “(B) Returned by qualified petition circulators to the proposers; and  
661                   “(2) Signatures on petition sheets of proposers shall not be invalidated because the  
662 signer was also the circulator of the same petition sheet on which the signature appears.”.

663                   Sec. 24. ANC petitioning and grantmaking.

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

666                   (a) Section 6(b) (D.C. Official Code § 1-309.05(b)) is amended as follows:

667                   (1) Paragraph (1) is amended by striking the phrase “Candidates for” and inserting  
668 the phrase “Except as provided in paragraph (3) of this subsection, candidates for” in its place.

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

670                   “(3) For the November 3, 2020, General Election:

671                   “(A) Candidates for member of an Advisory Neighborhood Commission  
672 shall be nominated by a petition signed by not fewer than 10 registered qualified electors who are  
673 residents of the single-member district from which the candidate seeks election;

674                   “(B) The petitions of a candidate in subparagraph (A) of this paragraph may  
675 be electronically:

676                   “(i) Made available by the candidate to a qualified petition  
677 circulator; and

678                   “(ii) Returned by a qualified petition circulator to the candidate; and

679                   “(C) Signatures on a candidate’s petitions shall not be invalidated because  
680 the signer was also the circulator of the same petition on which the signature appears.”.

681 (b) Section 16(m)(1) (D.C. Official Code § 1-309.13(m)(1)) is amended by striking the  
682 phrase “District government” and inserting the phrase “District government; except, that  
683 notwithstanding any provision of District law, during a period for which a public health  
684 emergency has been declared by the Mayor pursuant to section 5a of the District of Columbia  
685 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official  
686 Code § 7-2304.01), a Commission may approve grants to organizations for the purpose of  
687 providing humanitarian relief, including food or supplies, during the public health emergency, or  
688 otherwise assisting in the response to the public health emergency anywhere in the District, even  
689 if those services are duplicative of services also performed by the District government” in its  
690 place.

691 Sec. 25. Remote notarizations.

692 The Revised Uniform Law on Notarial Acts Act of 2018, effective December 4, 2018  
693 (D.C. Law 22-471; D.C. Official Code § 1-1231.01 et seq.), is amended as follows:

694 (a) Section 2 (D.C. Official Code § 1-1231.01) is amended to add a new paragraph (1A)  
695 to read as follows:

696 “(1A) “Audio-video communication” means an electronic device or process that:

697 “(A) Enables a notary public to view, in real time, an individual and to  
698 compare for consistency the information and photos on that individual’s government-issued  
699 identification; and

700 “(B) Is specifically designed to facilitate remote notarizations.”.

701 (b) Section 6 (D.C. Official Code § 1-1231.05) is amended to read as follows:

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

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

704           “(b) Notwithstanding any provision of District law, during a period of time for which the  
705 Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia  
706 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official  
707 Code § 7-2304.01), the Mayor may authorize, without the personal appearance of the individual  
708 making the statement or executing the signature, notarial acts required or permitted under  
709 District law if:

710                   “(1) The notary public and the individual communicate with each other  
711 simultaneously by sight and sound using audio-video communication; and

712                   “(2) The notary public:

713                           “(A) Has notified the Mayor of the intention to perform notarial acts using  
714 audio-video communication and the identity of the audio-video communication the notary public  
715 intends to use;

716                           “(B) Has satisfactory evidence of the identity of the individual by personal  
717 knowledge or by the individual’s presentation of a current government-issued identification that  
718 contains the signature and photograph of the individual to the notary public during the video  
719 conference;

720                           “(C) Confirms that the individual made a statement or executed a  
721 signature on a document;

722                           “(D) Receives by electronic means a legible copy of the signed document  
723 directly from the individual immediately after it was signed;

724                           “(E) Upon receiving the signed document, immediately completes the  
725 notarization;

726                   “(F) Upon completing the notarization, immediately transmits by  
727 electronic means the notarized document to the individual;

728                   “(G) Creates, or directs another person to create, and retains an audio-  
729 visual recording of the performance of the notarial act for 3 years from the date of the notarial  
730 act; and

731                   “(H) Indicates on a certificate of the notarial act and in a journal that the  
732 individual was not in the physical presence of the notary public and that the notarial act was  
733 performed using audio-visual communication.”.

734           (c) Section 10 (D.C. Official Code § 1-1231.09) is amended by adding a new subsection  
735 (d) to read as follows:

736           “(d) Notwithstanding any provision of District law, during a period of time for which the  
737 Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia  
738 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official  
739 Code § 7-2304.01), a notarial act shall be deemed to be performed in the District regardless of  
740 the notary public’s physical location at the time of the notarial act so long as the requirements of  
741 section 6(b) are met.”.

742           Sec. 26. Electronic witnessing.

743           (a) Title 16 of the District of Columbia Code is amended as follows:

744                   (1) Section 4802 (D.C. Official Code § 16-4802) is amended by adding new  
745 subsections (9A), (9B), (11A), and (11B) to read as follows:

746                   “(9A) “Electronic” means relating to technology having electrical, digital,  
747 magnetic, wireless, optical, electromagnetic, or similar capabilities.



748                   “(9B) “Electronic presence” means when one or more witnesses are in a different  
749 physical location than the designator but can observe and communicate with the designator and  
750 one another to the same extent as if the witnesses and designator were physically present with  
751 one another.

752                   “(11A) “Record” means information that is inscribed on a tangible medium or that  
753 is stored in an electronic medium and is retrievable in perceivable form.

754                   “(11B) “Sign” means with present intent to authenticate or adopt a record, to:

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

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

757                   (2) Section 4803(c) (D.C. Official Code § 16-4803(c)) is amended by striking the  
758 phrase “the adult signs the designation in the presence of the designator” and inserting the phrase  
759 “the adult signs the designation in the presence or, during a period of time for which the Mayor  
760 has declared a public health emergency pursuant to § 7-2304.01, the electronic presence of the  
761 designator” in its place.

762                   (3) Section 4803(d) (D.C. Official Code § 16-4803(d)) is amended by  
763 striking the phrase “in the presence of 2 witnesses” and inserting the phrase “in the presence or,  
764 during a period of time for which the Mayor has declared a public health emergency pursuant to  
765 § 7-2304.01, the electronic presence of 2 witnesses” in its place.

766                   (b) Title 21 of the District of Columbia Code is amended as follows:

767                   (1) Section 2011 (D.C. Official Code § 21-2011) is amended by adding new  
768 subsections to (5B-1), (5B-2), (23a), and (23B) to read as follows:

769                                 “(5B-1) “Electronic” means relating to technology having electrical, digital,  
770 magnetic, wireless, optical, electromagnetic, or similar capabilities.

771 “(5B-2) “Electronic presence” means when one or more witnesses are in a  
772 different physical location than the signatory but can observe and communicate with the  
773 signatory and one another to the same extent as if the witnesses and signatory were physically  
774 present with one another.

775 “(23A) “Record” means information that is inscribed on a tangible medium  
776 or that is stored in an electronic medium and is retrievable in perceivable form.

777 “(23B) “Sign” means with present intent to authenticate or adopt a record, to:

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

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

780 (2) Section 2043(c) (D.C. Official Code § 21-2043(c)) is amended by adding a  
781 new subsection (c-1) to read as follows:

782 “(c-1) With respect to witnesses referred to in subsection (c) of this section, witnesses  
783 must be in the presence or, during a period of time for which the Mayor has declared a public  
784 health emergency pursuant to § 7-2304.01, the electronic presence of the signatory.”

785 (3) Section 2202 (D.C. Official Code § 21-2202) is amended by adding new  
786 subsections (3A), (3B), (6B), and (8) to read as follows:

787 “(3A) “Electronic” means relating to technology having electrical, digital,  
788 magnetic, wireless, optical, electromagnetic, or similar capabilities.

789 “(3B) “Electronic presence” means when one or more witnesses are in a different  
790 physical location than the principal but can observe and communicate with the principal and one  
791 another to the same extent as if the witnesses and principal were physically present with one  
792 another.

793                   “(6B) “Record” means information that is inscribed on a tangible medium or that  
794 is stored in an electronic medium and is retrievable in perceivable form.

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

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

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

798                   (4) Section 2205 (D.C. Official Code § 21-2205) is amended by striking the  
799 phrase “2 adult witnesses who affirm that the principal was of sound mind” and inserting the  
800 phrase “2 adult witnesses who, in the presence or, during a period of time for which the Mayor  
801 has declared a public health emergency pursuant to § 7-2304.01, the electronic presence of the  
802 principal, affirm that the principal was of sound mind” in its place.

803                   (5) Section 2210 (D.C. Official Code § 21-2210(c)) is amended is amended by  
804 striking the phrase “There shall be at least 1 witness present” and inserting the phrase “There  
805 shall be at least 1 witness present or, during a period of time for which the Mayor has declared a  
806 public health emergency pursuant to § 7-2304.01, electronically present” in its place.

807                   (c) Title 7 of the District of Columbia Code is amended as follows:

808                                 (1) Section 2131 (D.C. Official Code § 7-2131) is amending by adding new  
809 subsections (6A), (6B), (9A), and (9B) to read as follows:

810   “(6A) “Electronic” means relating to technology having electrical, digital,  
811 magnetic, wireless, optical, electromagnetic, or similar capabilities.

812   “(6B) “Electronic presence” means when one or more witnesses are in a different  
813 physical location than the signatory but can observe and communicate with the signatory and one  
814 another to the same extent as if the witnesses and signatory were physically present with one  
815 another.

816                   “(9A) “Record” means information that is inscribed on a tangible medium or that  
817 is stored in an electronic medium and is retrievable in perceivable form.

818                   “(9B) “Sign” means with present intent to authenticate or adopt a record, to:

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

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

821                   (2) Section 2132(c) (D.C. Official Code § 7-2132(c)) is amended by adding a  
822 new subsection (c-1) to read as follows:

823                   “(c-1) With respect to witnesses referred to in subsection (c) of this section, witnesses  
824 must be in the presence or, during a period of time for which the Mayor has declared a public  
825 health emergency pursuant to § 7-2304.01, the electronic presence of the signatory.”

826                   Sec. 27. Contractor reporting of positive cases.

827                   (a) A District government contractor shall immediately report to the District  
828 government’s contract administrator and contracting officer if the contractor learns, or has reason  
829 to believe, that a covered employee has come into contact with, had a high likelihood of coming  
830 into contact with, or has worked in close physical proximity to a covered individual when either  
831 individual was exposed, or suspected to have been exposed, to the novel 2019 coronavirus  
832 (SARS-CoV-2). The report shall contain the following information:

833                                 (1) The name, telephone number, and email address of the covered employee;

834                                 (2) The date on, and location at, which the exposed person was exposed, or  
835 suspected to have been exposed, to the novel 2019 coronavirus (SARS-CoV-2), if known;

836                                 (3) All of the covered employee’s tour-of-duty locations or jobsite addresses and  
837 the dates on which the employee was at such locations and addresses;

838 (4) The names of all covered individuals whom the covered employee is known to  
839 have come into contact with or had a high likelihood of coming in contact with, or with whom  
840 the covered employee was in close physical proximity, while the covered employee performed  
841 any duty under the contract with the District; and

842 (5) Any other information related to the exposed person that will enable the  
843 District to protect the health or safety of District residents, employees, or the general public.

844 (b) A District government contractor shall immediately cease the on-site performance of  
845 a covered employee until such time as the covered employee no longer poses a health risk as  
846 determined in writing by a licensed health care provider. The District government contractor  
847 shall provide a written copy of the determination to the contract administrator and the contracting  
848 officer before the covered employee returns to his or her tour-of-duty location or jobsite address.

849 (c) The District shall securely maintain the name, telephone number, and email address of  
850 exposed persons and shall not disclose such information to a third party except as authorized or  
851 required by law.

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

853 (1) "Covered employee" means an the employee, volunteer, subcontractor, agent  
854 of a District government contractor that has provided any service under a District contract, and  
855 has

856 (A) tested positive for COVID-19,

857 (B) is in quarantine or isolation due to exposure or suspected exposure to  
858 the novel 2019 coronavirus (SARS-CoV-2), or

859 (C) is exhibiting symptoms of COVID-19.

860 (2) "Covered individual" means:

861 (A) A District government employee, volunteer, or agent;  
862 (B) An individual in the care of the District or the contractor; and  
863 (C) A member of the public who interacted with, or was in close proximity  
864 to, an exposed person while the exposed person carried out performance under a District  
865 government contract while the exposed person was at a District government facility or a facility  
866 maintained or served by the contractor under a District government contract.

867 (3) “District government facility” means a building or any part of a building that  
868 is owned, leased, or otherwise controlled by the District government.

869 Sec. 28. Liability clarification.

870 Amendatory section 5a(d)(3A)(B) of the District of Columbia Public Emergency Act of  
871 1980, effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2304.01(d)(3A)(B)),  
872 within section 3(b) of the COVID-19 Supplemental Corrections Emergency Amendment Act of  
873 2020, passed on emergency basis on April 21, 2020 (Enrolled version of Bill 23-735), is  
874 amended as follows:

875 (a) Strike the phrase “volunteer, or District government contractor” and insert the phrase  
876 “volunteer, donor, or District government contractor” in its place.

877 (b) Strike the phrase “purpose, contractual or voluntary service” and insert the phrase  
878 “purpose, contractual or voluntary service, or donation” in its place.

879

880 Sec. 29. Jail reporting.

881 Section 3022(c) of the Office of the Deputy Mayor for Public Safety and Justice  
882 Establishment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code §  
883 1-301.191(c)), is amended as follows:

884 (a) Paragraph (5)(B) is amended by striking the word “and” at the end.

885 (b) Paragraph (6)(G)(viii) is amended by striking the period and inserting the phrase “;  
886 and” in its place.

887 (c) A new paragraph (7) is added to read as follows:

888 “(7) During a period of time for which the Mayor has declared a public health  
889 emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,  
890 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), provide to the  
891 Council Committee with jurisdiction over the Office a weekly written update containing the  
892 following information:

893 “(A) Unless otherwise distributed to the Chairperson of the Council  
894 Committee with jurisdiction over the Office by the Criminal Justice Coordinating Council, a  
895 daily census for that week of individuals detained in the Central Detention Facility and  
896 Correctional Treatment Facility, categorized by legal status;

897 “(B) Any District of Columbia Government response to either the United  
898 States District Court for the District of Columbia or the Court-appointed inspectors regarding the  
899 implementation of the Court’s orders and resolution of the inspectors’ findings in the matter of  
900 *Banks v. Booth* (Civil Action No. 20-849), redacted for personally identifiable information; and

901 “(C) A description of:

902 “(i) All actions taken by the District Government to improve  
903 conditions of confinement in the Central Detention Facility and Correctional Treatment Facility,  
904 including by the Director of the Department of Youth and Rehabilitation Services, or his or her  
905 designee; and

906                                   “(ii) Without reference to personally identifiable information,  
907 COVID-19 testing of individuals detained in the Central Detention Facility and Correctional  
908 Treatment Facility, including whether and under what conditions the District is testing  
909 asymptomatic individuals.”.

910                   Sec. 30. 8th and O disposition extension.

911                   Section 1 of An Act Authorizing the sale of certain real estate in the District of Columbia  
912 no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official  
913 Code § 10-801), is amended as follows:

914                   (a) Subsection (b-3) is amended by adding a new paragraph (8) to read as follows:

915                                   “(8) Notwithstanding paragraph (2) of this subsection, for the disposition of the  
916 District-owned real property located at 1336 8th Street, N.W., 50% of the affordable units shall  
917 be for housing for which a low-income household will pay no more than 30% of its income  
918 toward housing costs, and 50% of the units shall be housing for which a moderate-income  
919 household will pay no more than 30% of its income toward housing costs, whether or not the  
920 units to be constructed are rental units or ownership units. The Land Disposition and  
921 Development Agreement in the form approved by Council pursuant to the 8th & O Streets,  
922 N.W., Disposition Approval Resolution of 2016, effective February 2, 2016 (Res. 21-374; 63  
923 DCR 1498), remains in full force and effect, including, without limitation, the Affordable  
924 Housing Covenant attached as an exhibit thereto, which shall be recorded against the property at  
925 closing.

926                   (b) Subsection (d-7) is amended by striking the phrase “February 2, 2020” and inserting  
927 the phrase “December 31, 2020” in its place.

928                   Sec. 31. Applicability.



929 This act shall apply as of March 11, 2020.

930 Sec. 32. Fiscal impact statement.

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

934 Sec. 33. Effective date.

935 (a) This act shall take effect following approval by the Mayor (or in the event of veto by  
936 the Mayor, action by the Council to override the veto), a 30-day period of congressional review  
937 as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
938 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
939 Columbia Register.

940 (b) This act shall expire after 225 days of its having taken effect.