

AN ACT

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To amend, on an emergency basis, the District of Columbia Public Emergency Act of 1980 to extend the Mayor’s authority to declare a public health emergency; to amend the Coronavirus Support Temporary Amendment Act of 2020 to clarify certified business enterprise and certified joint venture contracting and subcontracting requirements, to clarify grantmaking authority for public health emergency response grants, to waive community service requirements for school graduations for the 2020-2021 school year, and to extend its sunset date; and to amend the Protecting Businesses and Workers from COVID-19 Temporary Amendment Act of 2020 to repeal an obsolete provision.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Coronavirus Public Health Extension Emergency Amendment Act of 2020”.

Sec. 2. Section 7(c-1) of the District of Columbia Public Emergency Act of 1980, effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2306(c-1)), is amended to read as follows:

“(c-1) Notwithstanding subsections (b) and (c) of this section, the Council authorizes the Mayor to extend the 15-day March 11, 2020, emergency executive order and public health emergency executive order (“emergency orders”) issued in response to the coronavirus (SARS CoV-2) until March 31, 2021. After the extension authorized by this subsection, the Mayor may extend the emergency orders for additional 15-day periods pursuant to subsection (b) or (c) of this section.”.

Sec. 3. The Coronavirus Support Temporary Amendment Act of 2020, effective October 9, 2020 (D.C. Law 23-130; 67 DCR 8622), is amended as follows:

(a) Section 203 is amended by adding new subsections (a-1) and (a-2) to read as follows:

“(a-1) Notwithstanding subsection (a) of this section, a certified business enterprise awarded a contract for a government-assisted project in excess of \$250,000 that is unrelated to the District’s response to the COVID-19 emergency but entered into during the COVID-19 emergency shall:

“(1) Perform at least 35% of the contracting effort with its own organization and resources if the certified business enterprise is granted points or a price reduction pursuant to section 2343 of the CBE Act or selected through a set-aside program; and

“(2) If the certified business enterprise subcontracts, ensure that 50% of the dollar volume of the subcontracted effort be with certified business enterprises unless a waiver is granted pursuant to section 2351 of the CBE Act.

“(a-2) Notwithstanding subsection (a) of this section, a certified joint venture awarded a contract for a government-assisted project in excess of \$250,000 that is unrelated to the District’s response to the COVID-19 emergency but entered into during the COVID-19 emergency shall:

“(1) Perform at least 50% of the contracting effort with its own organization and resources if the certified joint venture is granted points or a price reduction pursuant to section 2343 of the CBE Act or selected through a set-aside program; and

“(2) If the certified joint venture subcontracts, 50% of the dollar volume of the subcontracted effort shall be with certified business enterprises unless a waiver is granted pursuant to section 2351 of the CBE Act.”.

(b) Amendatory Section 5b(a) of the District of Columbia Public Emergency Act of 1980, effective October 9, 2020 (D.C. Law 23-130; D.C. Official Code § 7-2304.02(a)), in section 507(c) is amended as follows:

(1) The lead-in language is amended by striking the phrase “program or organization” and inserting the phrase “program, organization, business, or entity” in its place.

(2) Paragraph (4) is amended by striking the phrase “; or” and inserting a semicolon in its place.

(3) Paragraph (5) is amended by striking the phrase “services.” and inserting the phrase “services;” in its place.

(4) New paragraphs (6) and (7) are added to read as follows:

“(6) Covering the costs of operating a business or organization including rent, utilities, or employee wages and benefits; or

“(7) Providing technical assistance to the business community.”.

(c) Section 601 is amended to read as follows:

“Sec. 601. Graduation requirements.

“Chapter 22 of Title 5-A of the District of Columbia Municipal Regulations (5-A DCMR § 2201 *et seq.*) is amended as follows:

“(a) Section 2203.3(f) (5-A DCMR § 2203.3(f)) is amended by striking the phrase “shall be satisfactorily completed” and inserting the phrase “shall be satisfactorily completed; except, that this requirement shall be waived for a senior who otherwise would be eligible to graduate from high school in the District of Columbia in the 2019-2020 or 2020-2021 school year” in its place.

“(b) Section 2299.1 (5-A DCMR § 2299.1) is amended by striking the phrase “one hundred and twenty (120) hours of classroom instruction over the course of an academic year” and inserting the phrase “one hundred and twenty (120) hours of classroom instruction over the course of an academic year; except, that following the Superintendent’s approval to grant an exception to the one hundred eighty (180) day instructional day requirement pursuant to 5A DCMR § 2100.3 for school year 2019-2020 or 2020-2021, a Carnegie Unit may consist of fewer than one hundred and twenty (120) hours of classroom instruction over the course of the 2019-

2020 or 2020-2021 academic year for any course in which a student in grades 9-12 is enrolled” in its place.”.

(d) Section 1204(b) is amended by striking the number “225” and inserting the number “295” in its place.

Sec. 4. Section 301 of the Protecting Businesses and Workers from COVID-19 Temporary Amendment Act of 2020, enacted on October 28, 2020 (D.C. Act 23-443; 67 DCR 13025), is amended as follows:

(a) Amendatory section 7(c-1) of the District of Columbia Public Emergency Act of 1980, effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2306(c-1)), in subsection (a) is amended by striking the date “December 31, 2020” and inserting the date “March 31, 2021” in its place.

(b) Subsection (b) is repealed.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director 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), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

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Chairman  
Council of the District of Columbia

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Mayor  
District of Columbia