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Chairman Phil Mendelson

[Version circulated on March 15, 2020 at 2:45pm]

A BILL

\_\_\_\_\_\_\_\_\_

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To provide, on an emergency basis, additional flexibility and authority to the Executive to address critical needs of District residents during a public health emergency, including wage replacement, business relief, and additional authorities and exemptions regarding health, public safety, and consumer protection.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “COVID-19 Response Emergency Amendment Act of 2020”.

TITLE I. LABOR AND WORKFORCE PROTECTIONS

Sec. 101. Wage replacement.

(a) Notwithstanding any provision of District law, but subject to applicable federal laws and regulations, during a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), an affected employee shall be eligible for unemployment insurance in accordance with subsection (b) of this section.

(b)(1) Upon application, an affected employee shall receive unemployment insurance compensation (“UI”). For an affected employee, there shall be no waiting period prior to receipt of UI and no work-search requirement.

(2) An affected employee shall be eligible for UI regardless of whether the:

(A) Employer has provided a date certain for the employee’s return to work; or

(B) Employee has a reasonable expectation of continued employment with the current employer.

(c) Benefits paid pursuant to this section shall not be charged to the experience rating accounts of employers.

(d) For the purposes of this section, the term “affected employee” means a District resident who is determined by the Mayor to have become unemployed or partially unemployed as a result of the public health emergency. It includes an employee who quits employment for good cause because of unsafe working conditions arising due to the public health emergency, as determined by the Mayor; an employee who has been quarantined by the Department of Health or any other District or federal agency; an employee who has self-quarantined in a manner consistent with the recommendations or guidance of the Department of Health, any other District or federal agency, or a medical professional; or an employee of an employer that ceased or reduced operations due to an order from the Department of Health or a reduction in business revenue resulting from the public health emergency, as determined by the Mayor.

Sec. 102. Employment protections.

The D.C. Family and Medical Leave Act of 1990, effective October 3, 1990 (D.C. Law 8-181; D.C. Official Code § 32-501 *et seq*.), is amended as follows:

(a) Section 2(1) (D.C. Official Code § 32-501(1)) is amended by striking the phrase “medical leave” and inserting the phrase “medical leave, except that during a public health emergency declared by the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980 (D.C. Law 3-149; D.C. Official Code § 7-2304.01), the one-year employment requirement and 1,000-hour work requirement shall not apply to an employee who has been ordered or recommended to quarantine or self-quarantine by the Department of Health or a medical professional.

(b) A new section 3a (to be codified at D.C. Official Code §32-502.01) is added to read as follows:

“Sec. 3a. Declaration-of-emergency leave.

“(a) An employee who is unable to work during a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01) as a result of the public health emergency shall be entitled to declaration-of-emergency (“DOE”) leave during the period of the declared emergency.

“(b) For DOE leave during the public health emergency, a recommendation from the Mayor, Department of Health, or health-care provider that the employee self-quarantine shall serve as certification of the need for DOE leave, and, in the case of a government-mandated quarantine or isolation, the declaration of the COVID-19 emergency, or other declared emergency, shall serve as certification of the need for DOE leave.”.

(c) Section 17 (D.C. Official Code § 32-516) is amended by adding a new paragraph (3) to read as follows:

“(3) For an employee who is on leave pursuant to section 3a or other declaration of emergency leave issued pursuant to a Mayor’s order, to any employer regardless of the number of persons in the District that the employer employs.”.

TITLE II. BUSINESS RELIEF.

Sec. 201. Delayed hotel property and general sales tax remittances.

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

(a) Section 811(b) (D.C. Official Code § 47-811(b)) is amended by striking the phrase “pay an installment” and inserting the phrase “pay an installment; provided further, that the owner of property on which a hotel licensed by the Department of Consumer and Regulatory Affairs is situated shall have until June 30, 2020 to pay the installment, without fee, fine, penalty or interest, for that property that otherwise would be paid on or before March 31, 2020” in its place.

(b) Section 2015 (D.C. Official Code § 47-2015) is amended by adding a new subsection (a-2) to read as follows:

“(a-2) Notwithstanding any other provision of this title, the Mayor or the Chief Financial Officer may allow a vendor, other than a vendor licensed by the Department of Consumer and Regulatory affairs as a hotel, required to file the February 2020 and March 2020 returns for sales taxes pursuant to subsection (a) of this section, to file the February 2020 and March 2020 returns pursuant to subsection (a) of this section, but to defer payment in full of the corresponding gross sales receipt taxes due until September 20, 2020, without fee, fine, penalty or interest.”

Sec. 202. Public health emergency small business grant program.

The Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*), is amended as follows:

1. The table of contents is amended by adding a new section designation to read as follows:

“Sec. 2316. Public health emergency grant program.”.

(b) A new section 2316 is added to read as follows:

“Sec. 2316. Public health emergency grant program.

“(a)(1) Upon the Mayor’s declaration of a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the Mayor may, notwithstanding the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), and in the Mayor’s sole discretion, disburse a grant or loan to an eligible small business; provided, that the eligible small business or entity:

“(A) Submits a grant application in the form and with the information required by the Mayor; and

“(B) Demonstrates, to the satisfaction of the Mayor, financial distress caused by a reduction of business as a result of the cause of the public health emergency.

“(2) A grant issued pursuant to this section may be expended by the recipient for any of the following:

“(A) Employee wages and benefits. For the purposes of this subparagraph, “benefits” means fringe benefits associated with employment, including health insurance;

“(B) Operating costs of the business; and

“(C) Repayment of loans obtained through the United States Small Business Administration.

“(b) For the purposes of this section, the term “small business” means a business enterprise eligible for certification under section 2332, a non-profit entity, or an independent contractor or self-employed individual determined not eligible for Unemployment Insurance by the Director of the Department of Employment Services.

“(c) The Mayor may make one or more grants to a third-party grant-managing entity for the purpose of administering the grant program and making subgrants on behalf of the Mayor in accordance with the requirements of this section. “(d) The Mayor, pursuant to section 105 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-505), may issue emergency rules to implement the provisions of this section.”.

TITLE III. PUBLIC HEALTH, SAFETY, AND CONSUMER PROTECTION.

Sec. 301. The District of Columbia Public Emergency Act of 1980, effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2301 *et seq.*), is amended as follows:

(a) Section 5(b) (D.C. Official Code § 7-2304(b)) is amended as follows:

(1) Paragraph (13) is amended by striking the phrase “; or” and inserting a semicolon in its place.

(2) Paragraph (14) is amended by striking the period at the end and inserting the phrase “; or” in its place.

(3) A new paragraph (15) is added to read as follows:

“(15) Waive application of any law administered by the Department of Insurance, Securities, and Banking if doing so is reasonably calculated to protect the health, safety, and welfare of District residents.”.

(b) Section 5a(d) (D.C. Official Code § 7-2304.01(d)) is amended as follows:

(1) Paragraph (3) is amended by striking the phrase “solely for the duration of the public health emergency; and” and inserting the phrase “solely for actions taken during the public health emergency;” in its place.

(2) Paragraph (4) is amended by striking the period at the end and inserting a semicolon in its place.

(3) New paragraphs (5), (6), (7), and (8) are added to read as follows:

“(5) Waive application in the District of any law administered by the Department of Insurance, Securities, and Banking if doing so is reasonably calculated to protect the health, safety, and welfare of District residents;

“(6) Authorize the use of crisis standards of care or modified means of delivery of health care services in scarce-resource situations;

“(7) Authorize the Department of Health to coordinate health-care delivery for first aid within the limits of individual licensure in shelters or facilities as provided in plans and protocols published by the Department of Health; and

(b) Section 7 (D.C. Official Code § 7-2306) is amended by adding a new subsection (c-1) to read as follows:

“(c-1) Notwithstanding subsections (b), and (c) of this section, the Council authorizes the Mayor to extend the March 11, 2020 emergency executive order and public health emergency executive order (“emergency orders”) issued in response to the coronavirus (COVID-19) for an additional 30-day period. After the additional 30-day extension authorized by this subsection, the Mayor may extend the emergency orders for additional 15-day periods pursuant to subsections (b) or (c) of this subsection.”.

Sec. 302. The Department of Insurance and Securities Regulation Establishment Act of 1996, effective May 21, 1997 (D.C. Law 11-268; D.C. Official Code § 31-101 *et seq.),* is amended by adding a new section 5a to read as follows:

“Sec. 5a. Emergency authority of the Commissioner during a declared public health emergency.

“(a) Scope of Authority during a declared public health emergency.

During a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and to address that emergency, the Commissioner may issue regulations or an order that:

“(1) Apply to any person or entity regulated by the Commissioner; and

“(2) Address:

“(A) Submission of claims or proof of loss;

“(B) Grace periods for payment of premiums and performance of other duties by insureds;

“(C) Temporary postponement of:

“(i) Cancellations;

“(ii) Nonrenewals; or

“(iii) Premium increases;

“(D) Modifications to insurance policies;

“(E) Insurer operations;

“(F) Filing requirements;

“(G) Procedures for obtaining nonelective health care services;

“(H) Time restrictions for filling or refilling prescription drugs; and

“(I) Time frames applicable to an action by the Commissioner under this section;

“(J) Temporarily waiving application of laws, regulations, or requirements to ensure that depository services, non-depository services, and securities transactions can continue to be provided, including allowing for the opening of a temporary service location, which may be a mobile branch, temporary office space, or other facility; and

“(K) Any other activity related to insurance, securities, and banking and under the purview of the Commissioner reasonably calculated to protect the health, safety, and welfare of District residents during a declared public health emergency.

“(c) The Commissioner may require licensees to answer questions related to, and submit documentation of, the licensee’s continuity of operations plan.

“(d) Emergency rulemaking and bulletin.

“(1)(A) To accomplish the purposes of this section, the Commissioner may issue an emergency rulemaking, order, or bulletin pursuant to this section specifying:

“(i) That the regulations, order, or bulletin are effective immediately;

“(ii) The line or lines of business, or the class or classes of licenses, to which the regulation, order, or bulletin applies;

“(iii) The geographic areas to which the regulation, order, or bulletin applies; and

“(iv) The period of time for which the regulation, order, or bulletin applies.

“(B) A regulation promulgated under paragraph (1)(A) of this section may not apply for longer than the duration of the effects of, or beyond the geographical area included within, a declared public health emergency.”.

Sec. 303. Public benefits extension.

Notwithstanding any provision of District law, the Mayor may extend the expiration of any public benefit program, including the Alliance program, Temporary Assistance for Needy Families, or Supplemental Nutritional Assistance Program, until after the expiration of a public health emergency declared by the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), as allowable under federal law.

Sec. 304. Price gouging and stockpiling.

Title 28 of the District of Columbia Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

“28-4102.01. Stockpiling.”.

(b) Section 28-4102(a)) is amended by striking the phrase “an emergency that resulted from a natural disaster,” and inserting the phrase “a public health emergency declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), or an emergency that resulted from a natural disaster,” in its place.

(c) A new section 28-4102.01 is added to read as follows:

“Sec. 28-4102.01. Stockpiling.

“It shall be unlawful for any person to purchase, in quantities greater than those specified by the Department of Health (“DOH”), the Homeland Security and Emergency Management Agency (“HSEMA”), or the federal government, goods that DOH, HSEMA, or the federal government have declared:

(a) Necessary for first responders or others following a natural disaster or a declaration of a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01) (“public health emergency”);

(b) Necessary to maintain supply chains of commerce during a natural disaster or a public health emergency; or

(c) Subject to rationing.”.

Sec. 305. Disconnection of electric service.

The Retail Electric Competition and Consumer Protection Act of 1999, effective May 9, 2000 (D.C. Law 13-107; D.C. Official Code § 34-1501 *et seq*.), is amended by adding a new section 106b to read as follows:

“Sec. 106b. Disconnection of service during a public health emergency prohibited.

“(a) For the purposes of this section, the term “public health emergency” means a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).

“(b) An electric company shall not disconnect electric service for non-payment of a bill or fees during a public health emergency.”.

Sec. 306. Disconnection of gas service.

The Retail Natural Gas Supplier Licensing and Consumer Protection Act of 2004, effective March 16, 2005 (D.C. Law 15-227; D.C. Official Code § 34-1671.01 *et seq*.), is amended by adding a new section 7b to read as follows:

“Sec. 7b. Disconnection of service during a public health emergency prohibited.

“(a) For the purposes of this section, the term “public health emergency” means a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).

“(b) A gas company shall not disconnect gas service for non-payment of a bill or fees during a public health emergency.”.

Sec. 307. Disconnection of water service.

Section 103 of the District of Columbia Public Works Act of 1954, approved May 18, 1954 (68 Stat. 102; D.C. Code § 34-2407.01-), is amended by adding a new paragraph (c) to read as follows:

“(c)(1) For the purposes of this subsection, the term “public health emergency” means a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).

“(2) During a public health emergency, notwithstanding any other provision of this act, the water supply to any property may not be shut off for non-payment of a bill or fees.”.

Sec. 308. Eviction Prohibition.

(a) D.C. Official Code § 16-1501 is amended by striking the phrase “restitution of possession.” and inserting the phrase “restitution of possession. During a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), no summons shall be issued to a party complained of if that party was a non-residential tenant of the real property at the time of the public health declaration by the Mayor.” in its place.

(b) Section 501(k) of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3501.01(k)), is amended by adding a new subparagraph (3) to read as follows:

“(3) During a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01). “

Sec. 309. Prescription drugs.

Section 208 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.08), is amended by adding a new subsection (g-2) to read as follows:

“(g-2)(1) An individual licensed to practice pharmacy pursuant to this act may prescribe and dispense a refill of patient prescription medications prior to the expiration of the waiting period between refills, if certified to do so by the Board and pursuant to a written protocol established by the Board and the Board of Medicine under paragraph (2) of this subsection, to allow District residents to maintain an adequate supply of necessary medication during a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01). This subsection shall not apply to any patient prescription for which a refill otherwise would be prohibited under District law.

“(2) The Board and the Board of Medicine shall jointly develop and issue emergency regulations establishing protocols for the prescription and dispensation of one-time patient prescription refills during a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).”.

Sec. 310. Extension of licenses and registrations.

Notwithstanding any provision of law, during a period time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the Mayor may extend the validity of a license, registration, or permit that requires in-person renewal, including drivers licenses, vehicle registrations, and professional licenses.

Sec. 311. Homeless services.

The Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-751.01 *et seq.*), is amended as follows:

(a) Section 8(c-1) (D.C. Official Code § 4-753.02(c-1)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “not to exceed 3 days” and inserting the phrase “not to exceed 3 days; except that during a public health emergency declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the Mayor may place the family in an interim eligibility placement for a period not to exceed 60 days” in its place.

(2) Paragraph (2) is amended by striking the phrase “and section 9(a)(20)” and inserting the phrase “and section 9(a)(20); except that the Mayor may extend an interim eligibility placement to coincide with the period of a public health emergency declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01)” in its place.

(3) Paragraph (3) is amended by striking the phrase “within 12 days of the start of the interim eligibility placement” and inserting the phrase “within 12 days of the start of the interim eligibility placement; except that during a public health emergency declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the Mayor shall have 10 days following the end of the public health emergency to issue the eligibility determination required by this paragraph” in its place.

(4) Paragraph (4) is amended by striking the phrase “start of an interim eligibility placement,” and inserting the phrase “start of an interim eligibility placement, or as otherwise required by paragraph (3)” in its place.

(b) Section 9(a)(14) (D.C. Official Code § 4-754.11(a)(14)) is amended by striking the phrase “and other professionals” and inserting the phrase “and other professionals, except that the Mayor may waive the requirements of this provision during a public health emergency declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01)” in its place.

(c) Section 10(1) (D.C. Official Code § 4-754.12(1)) is amended by striking the phrase “established pursuant to section 18” and insert the phrase “established pursuant to section 18, except that Mayor may waive this provision during a public health emergency declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01)” in its place.

(d) Section 24(f) (D.C. Official Code § 4-754.38(f)) is amended as follows:

(1) Paragraph (1) is amended as follows:

(A) Subparagraph (A) is amended by striking the phrase “to the unit; or” and inserting the phrase “to the unit;” in its place.

(B) Subparagraph (B) is amended by striking the phrase “at the location” and inserting the phrase “at the location; or” in its place.

(C) A new subparagraph (C) is added to read as follows:

“(C) To prevent or mitigate the spread of contagious disease, as determined by the Department or provider” in its place.

(2) Paragraph (2) is amended by striking the phrase “to paragraph (1)(B)” and inserting the phrase “to paragraphs (1)(B) and (1)(C)” in its place.

Section 312. Tenant rights.

(a) The Rental Housing Conversion and Sale Act of 1980, effective September 10, 1980 (D.C. Law 3-86, D.C. Official Code § 42-3401.01 *et seq.*), is amended by adding a new section 514 to read as follows:

“Sec. 514. All deadlines for tenants and tenant organizations to exercise rights under this act that will occur during a public health emergency declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), are extended to a date 30 days following the end of that emergency.”.

(b) The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3501.01 *et seq.*)), is amended by adding a new section 910 to read as follows:

“Sec. 910. All deadlines for tenants and tenant organizations to exercise rights under this act that will occur during a public health emergency declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), are extended to a date 30 days following the end of that emergency.”.

TITLE IV. EDUCATION

Sec. 401. Section 206 of the Focused Student Achievement Act of 2013, effective February 22, 2014 (D.C. Law 20-84; D.C. Official Code § 38-781.05) is amended by adding a new subsection (c) to read as follows:

“(c) The Chancellor shall have the authority to waive the requirements of subsection (a) of this section for any student who fails to meet the promotion criteria specified in the DCMR during a school year that includes a period of time for which the Mayor declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01),.”.

Sec. 402. Section 104(d)(2) of the District of Columbia Education Research Practice Partnership Establishment and Audit Act of 2018, effective March 28, 2019 (D.C. Law 22-268; D.C. Official Code § 38-785.03(d)(2)), is amended by striking the phrase “timely manner” and inserting the phrase “timely manner, except that upon the declaration of a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the meeting of the review panel shall be postponed until 7 business days following the end of the public health emergency” in its place.

TITLE V. PUBLIC BODY MEETINGS

Sec. 501. Advisory Neighborhood Commission Meetings.

            Section 14(b) of the Advisory Neighborhood Commission Act of 1975, effective March 26, 1976 (D.C. Law 1-58; D.C. Official Code § 1-309.11), is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “by the Commission.” and inserting the phrase “by the Commission; provided, that no meetings shall be required to be held during a public health emergency declared by the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and the number of meetings required to be held in a given year shall be reduced by one for every 30 days that a public health emergency is in effect during the year.”.

(2) A new paragraph (1B) is added to read as follows:

“(1B) Notwithstanding any other provision of law, during a public health emergency declared by the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), Advisory Neighborhood Commissioners may remotely call a meeting, participate in a meeting, determine a quorum, and vote on matters before the Commission, without being physically present, through a teleconference or through digital means identified by the Commission for this purpose.”.

Sec. 502. Other boards and commissions.

Notwithstanding any provision of law, during a period time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), any requirement for a board, commission, or other public body to meet periodically is waived. Nothing in this section shall be construed to prevent a Mayor or other government official from requesting that a board, commission, or other public body meet during the public health emergency.

Sec. 503. Freedom of Information Act.

Section 202 of the Freedom of Information Act of 1976, effective March 29, 1977 (D.C. Law 1-96; D.C. Official Code § 2-532), is amended as follows:

(a) Subsection (c) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “Sundays, and” and inserting the phrase “Sundays, days of a COVID-19 closure, and” in its place

(2) Paragraph (2)(A) is amended by striking the phrase “Sundays, and” and inserting the phrase “Sundays, days of a COVID-19 closure, and” in its place

(b) Subsection (d)(1) is amended by striking the phrase “Sundays, and” both times it appears and inserting the phrase “Sundays, days of a COVID-19 closure, and” in its place.

(c) Subsection (f) is amended as follows:

(1) Paragraphs (1) and (1A) are redesignated as paragraphs (1A) and (1B) respectively.

(2) A new paragraph (1) is added to read as follows:

“(1) “COVID-19 closure” means:

“(A) A period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01); or “(B) A period of time during which a public body is closed due to the COVID-19 coronavirus disease, as determined by the personnel authority of the public body.”.

Sec. 504. The Open Meetings Act, effective March 31, 2011 (D.C. Law 18-350; D.C. Official Code § 2-575(a)), is amended as follows:

(a) Section 405(a) (D.C. Official Code § 2-575(a))is amended as follows:

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

(2) Paragraph (3) is amended by striking the period and inserting the phrase “; or” in its place.

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

“(4) In the event that the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the public body takes steps reasonably calculated to allow the public to view or hear the meeting, either while the meeting is taking place or as soon as reasonably practicable thereafter.”.

(b) Section 406(2) (D.C. Official Code § 2-576(2)) is amended by adding a new paragraph (6) to read as follows:

“(6) The public posting requirements of paragraph (2)(A) of this section shall be waived during a public health emergency declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).”.

TITLE VI. COUNCIL AUTHORITY

Sec. 601. Budget Submission Requirements

The Fiscal Year 2021 Budget Submission Requirements Resolution of 2019, effective November 22, 2019 (Res. 23-268; 66 DCR 15372), is amended as follows:

(a) Section 2 is amended by striking the phrase “not later than March 19, 2020” and inserting the phrase “not later than May 6, 2020” in its place.

(b) Section 3(2)(A) is amended by striking the phase “the proposed Fiscal Year 2021 Local Budget Act of 2020,” and inserting the phrase “the proposed Fiscal Year 2021 Local Budget Act of 2020, the proposed Fiscal Year 2021 Local Budget Emergency Act of 2020, the proposed Fiscal Year 2021 Local Budget Temporary Act of 2020,” in its place.

Section 602. Virtual meetings.

Section 367 of the Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 23, effective January 2, 2019 (Res. 23-1; 66 DCR 272), is amended by striking the phrase “remote voting.”

Section 603. Grant Budget Modifications.

The Council approves the acceptance, obligation, and expenditure by the Mayor of the federal, private, and other grants related to the Declaration of Public Emergency (Mayor’s Order 2020-045) and the Declaration of Public Health Emergency (Mayor’s Order 2020-46), both declared on March 11, 2020, submitted to the Council for approval and accompanied by a report by the Office of the Chief Financial Officer on or before March 17, 2020 pursuant to section 446B(b)(1) of the District of Columbia Home Rule Act, approved October 16, 2006 (120 Stat. 2040; D.C. Official Code § 1-204.46b(b)(1)).

TITLE VII. APPLICABILITY; FISCAL IMPACT STATEMENT; EFFECTIVE DATE

Sec. 701. Applicability.

This act shall apply as of March 11, 2020.

Sec. 702. 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. 703. 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)).