ENROLLED ORIGINAL

A RESOLUTION

23-399

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 7, 2020

To declare the existence of an emergency with respect to the need to provide additional authority to the Mayor and to address critical needs of District residents and businesses during the current public health emergency, including wage replacement, business relief, and additional authorities and exemptions regarding health, public safety, consumer protection, and government operation, and to authorize and provide for the issuance, sale, and delivery of certain District of Columbia notes and bonds.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "COVID-19 Response Supplemental Emergency Declaration Resolution of 2020".

Sec. 2. (a) on March 11, 2020, the Mayor of the District of Columbia issued Mayor's Order 2020-045 and 2020-046, declaring a public emergency and a public health emergency in the District due to the imminent threat to the health, safety, and welfare of District residents posed by the spread of COVID-19. Those orders are currently in effect through April 24, 2020.

(b) On March 17, 2020, the Council adopted and the Mayor signed the COVID-19 Response Emergency Amendment Act of 2020, effective March 18 (D.C. Act 23-247; 67 DCR 3093). That legislation contained a number of provisions to expand emergency powers in a public health emergency, provide wage replacement for residents, and provide temporary tax relief for impacted businesses.

(c) The Council and the Executive have identified a number of additional provisions that would benefit District residents and businesses, as well as provide important consumer protections during the pandemic.

(d) To further aid residents whose employment has been impacted by the public health emergency, it is necessary to clarify eligibility for unemployment insurance, expand the District's work share program, and align the Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-152; D.C. Official Code § 32-531.01 *et seq*.), with the federal Families First Coronavirus Response Act, approved March 18, 2020 (Pub. L. No. 116-127; 134 Stat. 178), with respect to emergency leave requirements.

(e) To ensure tenants are not adversely impacted by the public health emergency, it is necessary to direct mortgage providers to establish mortgage relief plans, prohibit increases in rent during the public health emergency, extend deadlines for tenants and tenant associations to exercise their rights, suspend notices of intent to vacate, and prohibit the disconnection of cable or telecommunications service.

(f) To protect the health and safety of individuals who are in the criminal justice system, it is necessary to extend the application of good time credits for certain defendants, and align the use of compassionate release with the federal First Step Act of 2018, approved December 21, 2018 (Pub. L. No. 115-391; 132 Stat. 5194), for certain elderly defendants and defendants with chronic conditions.

(g) The University of Pennsylvania's COVID-19 Hospital Impact Model for Epidemics ("CHIME") estimates that the peak number of COVID-19 hospitalizations in the District will occur in late June. To prepare for this medical surge, it is necessary to allow the Mayor to extend emergency orders issued on March 11, 2020 for a total 90-day period.

(h) The medical surge projected by CHIME shows that hospitals in the District will need additional capacity, such as increased acute care and ICU beds, to care for patients with COVID-19. To prepare for the medical surge, it is necessary to establish a grant program for District hospitals that can be used to purchase necessary equipment, pay for increased personnel costs, and fund the construction and operation of temporary structures to test or treat patients with COVID-19.

(i) To ensure continuity of government operations while the public health emergency is in effect, it is necessary to toll certain matters transmitted to the Council, and to confirm appointments and reappointments of Mayoral nominees for specific agencies, boards, committees, and commissions.

(j) On June 2, 2020, the District will hold primary elections, and on June 16, 2020, there will be a special election for the vacant Council seat in Ward 2. To ensure that District voters can safely participate in these elections during the public health emergency, it is necessary to expand and encourage the use of vote by mail.

(k) Due to the adverse impacts of this public health emergency on businesses and employees, the District is expected to lose $600 million in revenue in fiscal year 2020 alone. To ensure that the District has the cash on-hand to meet its budgetary obligations, it is necessary to allow the Chief Financial Officer to engage in short-term borrowing through the issuance of general obligation notes and tax revenue anticipation notes.

(l) To make certain that several nonprofit development projects can move forward during the public health emergency, it is necessary to authorize the issuance of industrial revenue bonds for these projects.

Sec. 3. The Council of the District of Columbia determines that the circumstances in section 2 constitute emergency circumstances, making it necessary that the COVID-19 Response Supplemental Emergency Amendment Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.