



Councilmember Mary M. Cheh

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To require, on a temporary basis, for the length of the public health emergency and for 90 days thereafter, the tolling of all time periods for holders of a commercial policy of insurance to exercise their rights under the policy or District law for losses covered under the existing policy.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Commercial Insurance Claim Tolling Temporary Act of 2020”.

Sec. 2. Tolling of deadlines.

(a) Notwithstanding any provision of District law and notwithstanding the terms of any policy of insurance subject to this section, for commercial policies of insurance issued by a licensed insurer, in force as of March 25, 2020, and that include coverage under the existing policy for losses in the District, the running of all time periods for policy holders to exercise rights under a policy or District law for a claim for a loss shall be tolled during 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) (“public health emergency”), and for 90 days thereafter.

(b) For the purposes of this section, the term “loss” means physical loss of property, loss of use of property, loss of occupancy, property damage, and loss of income, incurred expenses, and other business interruption losses.

33           Sec. 3. Fiscal impact statement.

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

37           Sec. 4. Effective date.

38           (a) This act shall take effect following approval by the Mayor (or in the event of veto by  
39 the Mayor, action by the Council to override the veto), a 30-day period of congressional review  
40 as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
41 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
42 Columbia Register.

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