

A BILL

24-267

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

To amend the District Department of the Environment Establishment Act of 2005 to require the Mayor to adopt policies to reduce greenhouse gas emissions by no less than 60% relative to 2006 levels by 2030 and to reach carbon neutrality by 2045, to require the District to achieve certain interim targets for reductions in greenhouse gas emissions between 2025 and 2045, to require the District government to reach carbon neutrality for emissions associated with government operations by 2040, to require the Department of Energy and Environment to report annually on the District’s progress toward these targets, to prohibit the District government from installing fossil fuel-burning space- or water-heating appliances beginning in 2025, and to require the District government to purchase or lease only zero-emissions vehicles beginning in 2026; to amend the CleanEnergy DC Omnibus Amendment Act of 2018 to revise the timeline for phase-in of smaller buildings into the Building Energy Performance Standards Program implemented by the Department of Energy and Environment, to require the Department of Energy and Environment to establish new building energy performance standards every 6 years instead of every 5 years, to clarify language requiring buildings to comply with the building energy performance standards, to provide that the strategic energy management plan for District buildings shall be delivered by January 1, 2022; and to amend the District of Columbia Traffic Act, 1925 to provide that changes to the vehicle excise tax shall be revenue neutral or revenue positive.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this

act may be cited as the “Climate Commitment Amendment Act of 2022”.

Sec. 2. The District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.01 *et seq.*), is amended by adding new sections 109d and 109e to read as follows:

“Sec. 109d. Commitment to greenhouse gas emission reductions.

36           “(a) The Mayor shall adopt policies to reduce emissions of greenhouse gases from both  
37 public and private sources to:

38                   “(1) Not less than 45% below 2006 greenhouse gas emission levels by 2025;

39                   “(2) Not less than 60% below 2006 greenhouse gas emission levels by 2030;

40                   “(3) Not less than 70% below 2006 greenhouse gas emission levels by 2035;

41                   “(4) Not less than 85% below 2006 greenhouse gas emission levels by 2040; and

42                   “(5) A level consistent with carbon neutrality by 2045, and in each year thereafter.

43           “(b)(1) The District shall reduce emissions attributable to District government operations  
44 to a level consistent with carbon neutrality by 2040. In working to achieve these reductions, the  
45 District shall prioritize actions that result in additional renewable energy generation.

46                   “(2)(A) To achieve the reduction required by paragraph (1) of this subsection the  
47 Mayor shall establish a task force to prepare an action plan for carbon neutrality for District  
48 government operations by 2040, including the estimated funding and timeline for each action  
49 identified, which shall be submitted to the Council no later than 18 months after the effective  
50 date of the Climate Commitment Amendment Act of 2022, as approved by the Committee on  
51 Transportation and the Environment on June 13, 2022 (Committee print of Bill 24-267).

52                   “(B) The task force shall include, at a minimum, representatives from the  
53 following agencies:

54                           “(i) The Department of General Services;

55                           “(ii) The Department of Public Works;

- 56 “(iii) The District Department of Transportation;
- 57 “(iv) The District of Columbia Housing Authority;
- 58 “(v) The District of Columbia Water and Sewer Authority;
- 59 “(vi) The Office of the Deputy Mayor for Planning and Economic  
60 Development;
- 61 “(vii) The Department of Energy and Environment; and
- 62 “(viii) The Office of Resilience and Recovery.

63 “(c) In working to achieve the emissions reductions required by subsections (a) and (b) of  
64 this section, the District shall seek to advance racial equity, redress past environmental and  
65 public health inequities, and use measures that have the least harmful effect on local ecosystems.

66 “(d) Beginning on July 1, 2025, and on July 1 of each year thereafter, DOEE shall submit  
67 an annual report to the Council which summarizes progress on achieving the emissions  
68 reductions required by subsections (a) and (b) of this section. At a minimum, the report shall  
69 include:

70 “(1) An updated inventory of District-wide greenhouse gas emissions, expressed  
71 in tons of carbon dioxide equivalents, from all greenhouse gas emission sources in the District as  
72 tracked pursuant to standard greenhouse gas accounting protocols, including the relative  
73 contribution of each type of greenhouse gas and each type of source to the District-wide total, as  
74 well as an inventory of greenhouse gas emissions specifically attributable to District government  
75 operations;

76                   “(2) A description of actions taken to achieve the emissions reductions required  
77 by subsections (a) and (b) of this section;

78                   “(3) An analysis of how the actions described in paragraph (2) of this subsection  
79 advance racial equity, redress past environmental and public health inequities, and affect local  
80 ecosystems;

81                   “(4) If the emissions reductions required by subsections (a) and (b) of this section  
82 are not achieved, a description of any impediments encountered in achieving the emission  
83 reductions and recommendations for how to address such impediments;

84                   “(5) For any actions identified in the action plan required by subsection (b)(2) of  
85 this section that are not implemented according to the plan, a description of any impediments  
86 encountered in achieving the actions and recommendations for how to address such  
87 impediments; and

88                   “(6) Every 5 years, an updated projection of District-wide greenhouse gas  
89 emissions each year through 2045, as well as District government greenhouse gas emissions each  
90 year through 2040, based on policies currently in existence, as well as an analysis of whether the  
91 District is on track to meet the emissions reductions required by subsections (a) and (b) of this  
92 section.

93                   “Sec. 109e. Restrictions on purchases of fossil fuel-burning vehicles and appliances by  
94 District government.

95           “(a) Beginning January 1, 2025, the District government shall not install, in District-  
96 owned buildings, space- or water-heating appliances that rely on the combustion of natural gas,  
97 oil, or other fossil fuels at the site of the appliance, except in cases where compliance with this  
98 paragraph would be technically infeasible.

99           “(b) Beginning January 1, 2026, the District government shall purchase or lease only  
100 zero-emissions vehicles, except in cases where there is no such vehicle readily available on the  
101 market.”.

102           Sec. 3. The CleanEnergy DC Omnibus Amendment Act of 2018, effective March 22,  
103 2019 (D.C. Law 22-257; 66 DCR 1344), is amended as follows:

104           (a) Section 301 (D.C. Official Code § 8-1772.21) is amended as follows:

105                   (1) Subsection (a) is amended as follows:

106                           (A) Paragraph (2) is amended by striking the phrase “January 1, 2023” and  
107 inserting the phrase “January 1, 2027” in its place.

108                           (B) Paragraph (3) is amended by striking the phrase “January 1, 2026” and  
109 inserting the phrase “January 1, 2033” in its place.

110                   (2) Subsection (b)(1)(A) is amended as follows:

111                           (A) Subparagraph (A) is amended to read as follows:

112                                   “(b)(1)(A) No later than January 1, 2021, and every 6 years thereafter, DOEE shall, by  
113 rulemaking or publication on the DOEE website, establish property types and building energy

114 performance standards for each property type, or an equivalent metric for buildings that do not  
115 receive an ENERGY STAR score.”.

116 (B) Subparagraph (C)(i) is amended by striking the phrase “50% by 2032  
117 and carbon neutrality by 2050” and inserting the phrase “60% by 2030 and carbon neutrality by  
118 2045” in its place.

119 (3) Subsection (c) is amended to read as follows:

120 “(c) All buildings below the energy performance standard for their property type,  
121 established pursuant to subsection (b)(1) and (2) of this section, shall have 5 years from the date  
122 the performance standards are established to meet the building energy performance requirements  
123 established by DOEE.”.

124 (b) The lead-in language in section 303 (D.C. Official Code § 8-1772.22) is amended by  
125 striking the phrase “January 1, 2021” and inserting the phrase “January 1, 2022” in its place.

126 (c) Section 502(e)(2) (D.C. Official Code § 50-741(e)(2)), is amended by striking the  
127 phrase “Public Service Commission and to the chairperson of the Council committee with  
128 oversight of the Public Service Commission” and inserting the phrase “Department of Energy  
129 and Environment (“DOEE”) and to the chairperson of the Council committee with oversight of  
130 DOEE” in its place.

131 Sec. 4. Section 6(j)(1A)(E) of the District of Columbia Traffic Act, 1925, approved  
132 March 3, 1925 (43 Stat. 1121; D.C. Official Code § 50-2201.03(j)(1A)(E)), is amended to read  
133 as follows:

134                   “(E) Changes to the vehicle excise tax made pursuant to this paragraph  
135 shall be revenue neutral or revenue positive.”.

136                   Sec. 5. Section 118a(g) of the Retail Electric Competition and Consumer Protection Act  
137 of 1999, effective December 13, 2013 (D.C. Law 20-47; D.C. Official Code § 34-1518.01(g)), is  
138 amended by striking the phrase “quarter. Each quarter” and inserting the phrase “month. Each  
139 month” in its place.

140                   Sec. ~~56~~. Fiscal impact statement.

141                   The Council adopts the fiscal impact statement in the committee report as the  
142 fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975,  
143 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

144                   Sec. ~~67~~. Effective date.

145                   This act shall take effect following approval by the Mayor (or in the event of veto by  
146 the Mayor, action by the Council to override the veto), a 30-day period of congressional review  
147 as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
148 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
149 Columbia Register.