

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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 require vehicle-for-hire companies to submit greenhouse gas emission reduction plans to the Department of Energy and Environment; 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; and to amend the Retail Electric Competition and Consumer Protection Act of 1999 to provide that a community renewable energy facility may update its subscribers no more frequently than once per month.

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.

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

- “(1) Not less than 45% below 2006 greenhouse gas emission levels by 2025;
- “(2) Not less than 60% below 2006 greenhouse gas emission levels by 2030;
- “(3) Not less than 70% below 2006 greenhouse gas emission levels by 2035;
- “(4) Not less than 85% below 2006 greenhouse gas emission levels by 2040; and
- “(5) A level consistent with carbon neutrality by 2045, and in each year thereafter.

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

“(2)(A) To achieve the reduction required by paragraph (1) of this subsection the Mayor shall establish a task force to prepare an action plan for carbon neutrality for District government operations by 2040, including the estimated funding and timeline for each action identified, which shall be submitted to the Council no later than 18 months after the effective date of the Climate Commitment Amendment Act of 2022, passed on 2nd reading on July 12, 2022 (Enrolled version of Bill 24-267).

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

- “(i) The Department of General Services;
- “(ii) The Department of Public Works;
- “(iii) The District Department of Transportation;
- “(iv) The District of Columbia Housing Authority;
- “(v) The District of Columbia Water and Sewer Authority;
- “(vi) The Office of the Deputy Mayor for Planning and Economic

Development;

- “(vii) The Department of Energy and Environment; and
- “(viii) The Office of Resilience and Recovery.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 6. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report 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. 7. 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), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia