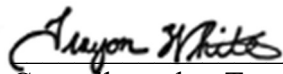
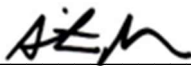


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2 Councilmember Trayon White, Sr.



Councilmember Janeese Lewis George

4 

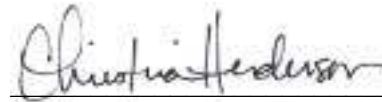
6 Councilmember Anita Bonds



Councilmember Brooke Pinto

8 

10 Councilmember Robert C. White, Jr.



Councilmember Christina Henderson



Councilmember Brianne K. Nadeau

17 A BILL

19 _____
20 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
21 _____
22

23 To amend The Lead Service Line Priority Replacement Assistance Act of 2004 to establish a
24 program operated by DC Water and the Department of Energy and Environment, to
25 require the removal of lead water service lines from public property and from all District
26 government buildings and privately owned properties by January 1, 2030, to increase
27 financial incentives for voluntary removal of lead water service lines from private
28 property through 2025, to establish a schedule of copayments for lead water service line
29 removal program participation and penalties for noncompliance, to require reporting on
30 program implementation plans and progress; to amend The Youth Employment Act of
31 1979 to establish a lead water service line job training program at the DC Infrastructure
32 Academy by October 1, 2024 to train 50 District residents each training cycle, to require
33 union participation in job training program development, and to create plans for youth
34 workforce training programs and the DC Infrastructure Academy that advance the
35 District’s lead remediation goals; to amend the Minimum Wage Act Revision Act of
36 1992 to require employers pay workers District minimum wage rates when an employee
37 preforms at least two hours of work in the District in one workweek; and to amend the
38 Accrued Sick and Safe Leave Act of 2008 to require paid sick leave for students enrolled
39 in a District-administered paid job training program.

41 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
42 act may be cited as the “Green New Deal for a Lead-Free DC Amendment Act of 2022”.

43 **TITLE I. LEAD WATER SERVICE LINE REMOVAL PROGRAM**

44 Sec. 101. This title may be cited as the “Lead Water Service Line Removal Program
45 Amendment Act of 2022”.

46 Sec. 102. The Lead Service Line Priority Replacement Assistance Act of 2004, effective
47 December 7, 2004 (D.C. Law 15-205; D.C. Official Code § 34-2151 *et seq.*), is amended as
48 follows:

49 (a) Section 6012 is repealed.

50 (b) Section 6013 is repealed.

51 (c) Section 6014 is repealed.

52 (d) Section 6015 is repealed.

53 (e) New sections 6015a through 6015f are added to read as follows:

54 “Sec. 6015a. Definitions.

55 “For the purposes of this subtitle the term:

56 “(1) “DGS” means Department of General Services.

57 “(2) “DOEE” means Department of Energy and Environment.

58 “(3) “DC Water” means District of Columbia Water and Sewer Authority.

59 “(4) “Dwelling unit” means a single-family home or one apartment unit or

60 townhome unit in a multi-unit building.

61 “(5) “Fund” means the Lead Service Line Replacement Fund established pursuant

62 to section 6019b(i).

63 “(6) Lead water service line” means a water service line containing any lead and

64 shall include a:

65 “(A) Brass water service line; or

66 “(B) Galvanized water service line.

67 “(7) “Property owner” means a person, other than the District or U.S. government,
68 that owns real property or holds a long-term land-lease on real property in the District on which a
69 structure is erected.

70 “Sec. 6015b. Elimination of lead water service lines by 2030.

71 Lead water service lines shall be eliminated from public property and from all District-
72 government and privately-owned buildings by January 1, 2030.

73 “Sec. 6015c. Existing structures; removal requirement; failure to comply.

74 “(a)(1) By January 1, 2024, DC Water shall send written notice of the requirement to
75 remove lead water service lines or register for the lead water service line removal program to
76 each property owner of private District property at which:

77 “(A) DC Water reasonably believes a lead water service line is being used
78 to deliver water to a structure on the property; or

79 “(B) DC Water lacks data or information to verify that a lead water service
80 line is not being used to deliver water to a structure on the property.

81 (2) DC Water shall regularly publish an up-to-date map of the properties
82 described in paragraph (1) of this subsection on its website.

83 (3) By January 1, 2025, DC Water shall physically post notice of the requirement
84 to remove lead water service lines or register for the lead water service line removal program at
85 each non-private District property described in paragraphs (1)(A) and (B) of this subsection.

86 Photographic evidence of the posting shall accompany all notices and shall be published on any
87 public database of building citations maintained by the Department of Buildings.

88 “(b) By June 30, 2025, a property owner that owns property identified pursuant to
89 subsection (a) of this section shall:

90 “(1) Submit proof, acceptable to DC Water, that no lead water service lines are
91 being used to deliver water to a structure on the property; or

92 “(2) Register for the lead water service line removal program and, if applicable,
93 remit the copay prescribed in section 6015e.

94 “(c) After June 30, 2025, DC Water shall remit a list of properties and property owners
95 not in compliance with subsection (b) of this section to DOEE and the Department of Buildings.

96 “(d)(1)(A) After June 30, 2025, a property owner who fails to comply with subsection (b)
97 of this section, shall be fined up to \$150 per month for every month of non-compliance,
98 according to a schedule of fines published by the Mayor that takes into account property type and
99 use, for every month the property owner fails to comply.

100 “(B) A property owner assessed fines pursuant to subparagraph (A) of this
101 paragraph who submits proof that the lead water service line was removed after June 30, 2025,
102 may elect to have the ½ of the value of the fines assessed reduced by the cost of removal of the
103 lead water service line.

104 “(2) After December 31, 2025, a property owner who fails to comply with
105 subsection (b) of this section may not:

106 “(A) Receive or renew a business license to operate a business on the
107 property;

108 “(B) Receive a certificate of occupancy for any structure on the property;

109 or

110 “(C) Receive a permit to perform construction or improvements on the
111 property unless the permit includes removal of the lead water service line;

112

113 “(3)(A) After December 31, 2025, a tenant who resides in a property owned or
114 controlled by a property owner who has failed to comply with subsection (b) of this section may
115 bring a private cause of action for abatement of the lead water service line against the property
116 owner in D.C. Superior Court. If a court finds in favor of a tenant, the property owner shall pay
117 the tenants’ attorneys fees and a fine of up to \$25,000, 50% of which shall be deposited into the
118 Fund, and the remaining 50% divided between tenants of the property.

119 “(B)(1) By December 31, 2025, the Department of Buildings shall post a
120 notice informing tenants of their rights under subparagraph (A) of this paragraph on each
121 building serviced by a lead water service line and owned or controlled by a private property
122 owner who has failed to comply with subsection (b) of this section.

123 “(2) Photographic evidence of the posting shall accompany all
124 notices and shall be published on any public database of building citations maintained by the
125 Department of Buildings.

126 “(C) The Office of the Tenant Advocate shall provide guidance to any
127 tenant who seeks to initiate a cause of action for lead water service line abatement and removal
128 pursuant to this paragraph.

129 “(4)(A) After June 30, 2026, the Attorney General may initiate a civil action
130 against a property owner to abate any lead water service lines on the property.

131 “(B) The property owner shall pay the cost to relocate any residential
132 tenants displaced during the lead water service line abatement.

133 “(C) Before initiating an abatement action against a property owner who
134 resides in a property serviced by a lead water service line, the Attorney General shall attempt
135 out-of-court resolution to remove the lead water service line, including by referring the property
136 owner to the DOEE for assistance in registering for the lead water line removal program.

137 “(D) If a court finds against the property owner, the court shall order the
138 property owner to pay the Attorney General’s attorneys’ fees and a fine of up to \$15,000, which
139 shall be deposited into the Fund.

140 “(e) A landlord shall pay any cost to relocate residential tenants temporarily displaced in
141 order to comply with lead water service line removal requirements of this section.

142 “Sec. 6015d. Tax incentives for lead service line removal.

143 “Beginning in tax year 2024, a property owner that submits proof that lead water service
144 line removal was performed on their private property between the effective date of the Lead
145 water service line removal amendment act of 2022, introduced on April 26, 2022 (Bill 24- ____)
146 and June 30, 2026, shall be entitled to claim an income tax credit equal to the cost of the
147 remediation and removal up to \$5,000.

148 “Sec. 6015e. District removal of lead water service lines.

149 “DGS, DOEE, and DC Water shall coordinate and accomplish the removal of lead water
150 service lines from all public property spaces and District-owned and leased property, including
151 property leased from or by the District by January 1, 2028.

152 “Sec. 6015f. Lead water service line removal program.

153 “(a)(1) By January 1, 2024, DOEE, in coordination with DC Water, shall establish a lead
154 water service line removal program for the purpose of replacing lead water service lines on
155 private property by 2030 (“Program”).

156 “(2) The Program shall underwrite the cost of replacing lead water service lines
157 on private property after property owners register and remit a copayment for participation in the
158 program. The cost of program copayments may not be passed on to any tenants residing on the
159 property.

160 “(b) DOEE shall publish a schedule of copayments, not to exceed an amount of \$250 per
161 dwelling on any private property, property owners must pay to participate in the program. DOEE
162 shall consider the following factors when developing the schedule of copayments:

163 “(1) Whether the structure or structures served by the lead water service line are:

164 “(A) Commercial or residential; and

165 “(B) If residential, whether single-family or multi-family.

166 “(2) The square footage of the structure served by the lead water service line;

167 “(3) Whether the property owner is an individual or an institution;

168 “(4) The estimated cost of removing the lead water service line at the property;

169 and

170 “(5) The property owner’s ability to pay.

171 “(c)(1) DOEE shall remove the lead water service line of a property owner no more than
172 2 years after the property owner registers for the Program and remits the copayment.

173 (2) Removal shall include:

174 “(A) Replacement of the portion of the lead water service line on private
175 property with a non-lead water service line;

176 “(B) Replacement and leveling of dirt and soil displaced during
177 excavation; and

178 “(C) Replacement or restoration of interior and exterior walls and floors
179 damaged or demolished during removal and replacement to a safe and habitable condition.

180 “(3) DOEE shall contract with at least two companies to perform lead water
181 service line removal whose workers are unionized and shall make those companies known on the
182 printed and online Program materials.

183 “(4) DOEE shall provide a choice to property owners to use union labor for the
184 purpose of lead water service line removal on their property.

185 “(d) DOEE shall prioritize removal, within 6 months of discovery, of lead water service
186 lines that service structures wherein children under the age of 7 are likely to use water.

187 (f) Section 6019a is amended as follows:

188 (1) Subsection (d) is repealed.

189 (2) A new subsection (e) is added to read as follows:

190 “(e) This section shall expire on June 30, 2025.”.

191 (g) Section 6019b is amended as follows:

192 (1) Subsection (a) is amended by striking the phrase “(“Program”)” and inserting
193 the phrase “(“Assistance Program”)” in its place.

194 (2) Subsection (b)(1)(C) is amended by striking the number “2,500” and inserting
195 the number “5,000” in its place.

196 (3) A new subsection (h-1) is added to read as follows:

197 “(h-1) Subsections (a) through (h) shall expire on June 30, 2025.”.

198 (4) Subsection (i) is amended as follows:

199 (A) Paragraph (2) is amended to read as follows:

200 “(2) Revenue from the following sources shall be deposited in the Fund:

201 “(A) Copayments from registrations for the lead water service line
202 removal program pursuant to this act.

203 “(B) Fines assessed against property owners who failed to timely register
204 for the lead water service line removal program;

205 “(C) Fines paid to the fund from abatement actions brought pursuant to
206 this act;

207 “(D) Federal funds awarded to the District for the purpose of lead water
208 service line remediation and replacement; and

209 “(E) Such amounts as may be appropriated to the Fund.”.

210 (B) Paragraph (3) is amended to read as follows:

211 “(3) Money in the Fund shall be used to pay the costs of the Assistance Program
212 and administering the lead water service line removal program.”.

213 (3) Subsection (j) is amended by striking the phrase “end of each fiscal year,” and
214 inserting the phrase “end of each fiscal year, though the end of Fiscal Year 2026,” in its place.

215 (h) Section 6019d is amended as follows:

216 (1) Redesignate the lead-in language as subsection (a).

217 (2) New subsections (b) and (c) are added to read as follows:

218 “(b) By December 31, 2025, DOEE and DC Water shall submit to the Mayor a joint
219 report that includes the following information:

220 “(1) A plan for the implementation of the lead water service line removal program
221 pursuant to section 6015f.

222 “(2) The total number of remaining lead service lines in the District by January 1,
223 2024 and the total number of private property owners who received notices of the existence of
224 lead water service lines on their property pursuant to section 6015c(a) broken down by:

225 “(A) Ward;

226 “(B) Advisory Neighborhood Commission;

227 “(C) Commercial versus residential property; and

228 “(D) The number of properties who have previously refused lead water
229 service line removal services;

230 “(3) The total private property owners who provided proof of lead remediation
231 compliance or registered for the Program in compliance with section 6015c(b), as of the printing
232 of the report, broken down by:

233 “(A) Ward;

234 “(B) Advisory Neighborhood Commission;

235 “(C) Commercial versus residential property; and

236 “(D) The number of properties who have previously refused lead water
237 service line removal services;

238 “(4) The total number of private property owners not yet registered for the
239 Program, as of the printing of the report, broken down by:

240 “(A) Ward;

241 “(B) Advisory Neighborhood Commission;

242 “(C) Commercial versus residential property; and

243 “(D) The reason or reasons, if known, for non-compliance to date,
244 including any history of engagement with property owners not yet in compliance.

245 “(5) The estimated number of professionals in the lead water service line
246 remediation workforce, including the number of contractors the District holds agreements with
247 and the size of their workforce, and whether their workforce is unionized.

248 “(6) A projected budget and spending plan through fiscal year 2030 for the full
249 remediation of all lead water service lines.

250 “(c) By December 31, 2026, and annually thereafter, DOEE and DC Water shall submit
251 to the Mayor a joint report including the following information:

252 “(1) The implementation status of the Program including the number of lines
253 removed and replaced with lead-free pipes, in progress for remediation, and remaining to be
254 removed;

255 “(2) Geographic and demographic summaries of property owners in or out of
256 compliance with program requirements;

257 “(3) The budget status and funding needs of the Program; and

258 “(4) A summary of barriers to implementation and recommendations for solving
259 or removing these barriers.”.

260 **TITLE II. LEAD-FREE DC GREEN JOB CREATION**

261 Sec. 201. This title may be cited as the “Lead-Free DC Green Job Creation Amendment
262 Act of 2022”.

263 Sec. 202. The Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-
264 46, D.C. Official Code § 32-241 et seq.), is amended as follows:

265 (a) Section 2c(c) (D.C. Official Code § 32-244(c)) is amended to add a new paragraph (9)
266 to read as follows:

267 “(9) A strategy to link youth workforce development programming with
268 objectives of The Lead Service Line Priority Replacement Assistance Act of 2004, effective
269 December 7, 2004 (D.C. Law 15-205; D.C. Official Code § 34-2151 et seq.).”.

270 (b) Section 2e (D.C. Official Code § 32-246) is amended as follows:

271 (1) Subsection (a)(2) is amended as follows:

272 (A) Subparagraph (C)(ii) is amended by striking the phrase “; and” and
273 inserting a semicolon in its place.

274 (B) Subparagraph (D) is amended by striking the period and adding the
275 phrase “and;” in its place.

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

277 “(E) When a customized skill training program is created specifically for a
278 particular employer and a union exists that represents or organizes workers employed by that
279 particular employer, or organizes workers in that specific career industry, seeking input from the
280 local union or unions consistent with the requirements outlined in subparagraphs (B) and (C) of
281 this paragraph, provided that no more than two unions need to be consulted when multiple
282 unions represent workers in a similar sector;”.

283 (2) Subsection (c) is amended by adding a new paragraph (3) to read as follows:

284 “(3) At least 10% of the participants receiving skills training through the DCIA
285 each year shall graduate into jobs that provide the opportunity to be represented by a union.”.

286 (3) A new subsection (d) is added to read as follows:

287 “(d)(1) By October 1, 2024, a lead water service line remediation and removal job
288 training curriculum and program partnership shall be established at DCIA in consultation with

289 the DC Water and Sewer Authority, the District Department of Energy and the Environment, and
290 at least 2 local union shops that represent workers in plumbing or construction sectors.

291 “(2) The program shall also train workers with generalized plumbing and water
292 line repair and maintenance skills.

293 “(3)(A) The program shall have the capacity to train and shall, to the extent
294 practicable, train a minimum of 50 District residents in each training cycle;

295 “(B) The training capacity shall expand by not less than 10% every 2 years
296 until October 1, 2030.

297 “(4) The Mayor shall attempt to apply for and exhaust sources of federal and other
298 non-local funds before applying local funds to pay for job training programs prescribed pursuant
299 to paragraphs (1) and (2) of this subsection.”.

300 (c) Section 2f (D.C. Official Code § 32-247) is amended as follows:

301 (1) Subsection (a) is amended by adding a new paragraph (3A) to subsection (a)
302 to read as follows:

303 “(3A) Each committee shall consist of representatives of at least 2 union
304 organizations or shop stewards from the relevant industry sector, when union sector
305 representation exists, whom the Director shall appoint.”.

306 (2) Subsection (b)(1) is amended to read as follows:

307 “(1) Recommendations of 2 to 4 specific occupational skills trainings DCIA
308 should offer, including at least one recommendation related to occupations that improve
309 environmental health in District housing or public spaces.”.

310 Sec. 203. Section 4 of The Minimum Wage Act Revision Act of 1992, effective March
311 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1003) is amended as follows:

312 (a) Subsection (b) is amended by striking the phrase “Columbia when:” and inserting the
313 phrase, “Columbia, and shall be paid not less than the District’s minimum wage for all hours
314 worked for their employer, when:”.

315 (b) A new subsection (b-1) is added to read as follows:

316 “(b-1) When an employee works more than two hours in a workweek in the District of
317 Columbia for an employer, the hours of work physically performed in the District shall be
318 subject to the District’s minimum wage rate set forth in subsection (a) of this section.”

319 Sec. 204. Section 2 of the Accrued Sick and Safe Leave Act of 2008, effective May 13,
320 2008 (D.C. Law 17-152; D.C. Official Code § 32-531.01(2)(E)) is amended by striking the
321 semicolon and inserting the phrase “, except when a student is a participant in an on-the-job
322 training or apprenticeship established pursuant D.C. Official Code § 32-241, et seq;”.

323 **TITLE III. FISCAL IMPACT STATEMENT.**

324 Sec. 301. The Council adopts the fiscal impact statement in the committee report as the
325 fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975,
326 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

327 **TITLE IV. EFFECTIVE DATE.**

328 Sec. 401. This act shall take effect following approval by the Mayor (or in the event of
329 veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional
330 review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved
331 December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the
332 District of Columbia Register.