

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, 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 that vehicle-for-hire companies 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 “CleanEnergy DC Omnibus Technical Amendment Emergency Amendment Act of 2022”.

Sec. 2. 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:

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

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

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

43 “(b)(1)(A) No later than January 1, 2021, and every 6 years thereafter, DOEE shall, by  
44 rulemaking or publication on the DOEE website, establish property types and building energy  
45 performance standards for each property type, or an equivalent metric for buildings that do not  
46 receive an ENERGY STAR score.”.

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

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

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

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

58 Sec. 3. Section 6(j)(1A)(E) of the District of Columbia Traffic Act, 1925, approved March  
59 3, 1925 (43 Stat. 1121; D.C. Official Code § 50-2201.03(j)(1A)(E)), is amended to read as follows:

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

62           Sec. 4. Section 118a(g) of the Retail Electric Competition and Consumer Protection Act of  
63 1999, effective December 13, 2013 (D.C. Law 20-47; D.C. Official Code § 34-1518.01(g)), is  
64 amended by striking the phrase “quarter. Each quarter” and inserting the phrase “month. Each  
65 month” in its place.

66           Sec. 5. Fiscal impact statement.

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

70           Sec. 6. Effective date.

71           This act shall take effect following approval by the Mayor (or in the event of veto by the  
72 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than  
73 90 days, as provided for emergency acts of the Council of the District of Columbia in section  
74 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;  
75 D.C. Official Code § 1-204.12(a)).