


Councilmember Mary M. Cheh

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the CleanEnergy DC Omnibus Amendment Act of 2018 to direct the Department of Energy and Environment to treat electricity generated by rooftop community renewable energy facilities similarly to net-metered rooftop renewable energy facilities for purposes of evaluating a building’s compliance with the Building Energy Performance Standards.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Building Energy Performance Standards CREF Amendment Act of 2022”.

Sec. 2.

Section 301 of the CleanEnergy DC Omnibus Amendment Act of 2018, effective March 22, 2019 (D.C. Law 22-257; D.C. Official Code § 8-1772.21), is amended by adding a new subsection (d-1) to read as follows:

“(d-1) In evaluating a building’s energy performance relative to the building energy performance standards and building energy performance requirements established by DOEE, DOEE shall allow electricity generated on a building site by a CREF, as that term is defined in section 101(9B) of the Retail Electric Competition and Consumer Protection Act of 1999, effective May 9, 2000 (D.C. Law 13-107; D.C. Official Code § 34–1501(9B)), to be treated as on-site renewable energy generation and use for that building; provided, that the CREF credits are provided only to electric customers located in the District and, provided further, that the electricity generated by the CREF is not used by another building or building owner to comply

34 with building energy performance standards or requirements under this Chapter or any other
35 statute or regulation of the District.”.

36 Sec. 3. Fiscal impact statement.

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

40 Sec. 4. Effective date.

41 This act shall take effect following approval by the Mayor (or in the event of veto by the
42 Mayor, action by Council to override the veto), a 30-day period of congressional review as
43 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
44 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
45 Columbia Register.