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A BILL
25-734

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on a temporary basis, the District of Columbia Public Emergency Act of 1980 to clarify the types of circumstances that may constitute a public emergency and to authorize the Mayor to extend the duration of public emergencies related to the opioid crisis and juvenile crime, to authorize the Mayor to waive the requirements of the Procurement Practices Reform Act of 2010 and the Grant Administration Act of 2013 in exercising her authority under the public emergencies related to the opioid crisis and juvenile crime, and to require the Mayor to provide written notice to the Council before engaging in conduct that would require the waiver of the Procurement Practices Reform Act of 2010 or Grant Administration Act of 2013.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Opioid Crisis and Juvenile Crime Public Emergencies Extension Authorization Temporary Amendment Act of 2024”.

Sec. 2. The District of Columbia Public Emergency Act of 1980, effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2301 *et seq.*), is amended as follows:

(a) Section 2(3)(I) (D.C. Official Code § 7-2301(3)(I)) is amended by striking the phrase “communicable disease” and inserting the phrase “communicable disease, or significant existence of a deadly or otherwise dangerous disease, disorder, condition, or activity,” in its place.

30 (b) Section 7 (D.C. Official Code § 7-2306) is amended by adding a new subsection (c-2)
31 to read as follows:

32 “(c-2)(1) Notwithstanding subsections (b) and (c) of this section, the Mayor may extend
33 the 15-day February 27, 2024, emergency executive order declaring a public emergency in
34 response to the opioid crisis (Mayor’s Order 2024-035) and the 15-day February 27, 2024,
35 emergency executive order declaring a public emergency in response to juvenile crime (Mayor’s
36 Order 2024-035) while the Opioid Crisis and Juvenile Crime Public Emergencies Extension
37 Authorization Temporary Amendment Act of 2024 is in effect (passed on first reading on March
38 5, 2024) (engrossed version of B25-XXX). After the extensions authorized by this subsection,
39 the Mayor may extend the emergency orders for additional 15-day periods pursuant to subsection
40 (b) or subsection (c) of this section.

41 “(2) Notwithstanding section 5(b) (D.C. Official Code § 7-2304(b)), the Mayor shall
42 comply with all District laws when exercising her authority pursuant to Mayor’s Order 2024-
43 035, including those laws stated in Mayor’s Order 2024-035 to be subject to waiver, suspension,
44 or modification; except, that the Mayor may waive the requirements of the Procurement
45 Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code §
46 2-354.01 *et seq.*), and the Grant Administration Act of 2013, effective December 24, 2013 (D.C.
47 Law 20-61; D.C. Official Code 1-328.11 *et seq.*).

ENGROSSED ORIGINAL

48 “(3) The Mayor shall, prior to any exercise of the authority granted by this subsection,
49 provide written notice to the Council of any waiver under paragraph (2) of this subsection. Such
50 notice shall include, at a minimum:

51 “(A) Citations to the law or laws being waived; and

52 “(B) In any instance where the Mayor is waiving procurement laws, a
53 summary of each proposed procurement, which summary shall include:

54 “(i) A description of the specific goods or services to be procured;

55 “(ii) The source selection method, including whether the
56 procurement was competitively sourced;

57 “(iii) The contract amount and the source of funds, whether federal
58 or local;

59 “(iv) The name and certified business enterprise status of the
60 proposed awardee; and

61 “(v) An explanation regarding why expedited procurement
62 procedures are necessary to meet the specific need identified.

63 “(4) The Mayor shall provide the Council with copies of any grants awarded or
64 contracts entered into using the authority granted by this subsection no later than 15 days after
65 awarding the grant or entering into the contract.”.

66 Sec. 3. Section 2(a) of the Opioid Crisis and Juvenile Crime Public Emergencies Extension
67 Authorization Temporary Amendment Act of 2023, effective February 22, 2024 (D.C. Law 25-
68 126; 71 DCR 645), is repealed.

69 Sec. 4. Fiscal impact statement.

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

73 Sec. 5. Effective date.

74 (a) This act shall take effect following approval by the Mayor (or in the event of veto by
75 the Mayor, action by the Council to override the veto), a 30-day period of congressional review
76 as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
77 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
78 Columbia Register.

79 (b) This act shall expire ~~after 225 days of its having taken effect~~ on September 17, 2024.