

A RESOLUTION

25-226

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2023

To declare the existence of an emergency with respect to the need to allow consumers to request that credit reporting agencies include a statement with their credit reports to indicate they were financially impacted by the COVID-19 pandemic.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Public Health Emergency Credit Alert Emergency Declaration Resolution of 2023”.

Sec. 2. (a) Shortly after the onset of the COVID-19 pandemic, the Council enacted emergency and temporary legislation to respond to the crisis and provide residents with protections amid uncertainty and the upheaval to daily life. Within these measures, the Council included provisions to require credit reporting agencies to allow consumers to include a statement with their credit reports that indicates they were financially impacted by the COVID-19 pandemic. These provisions protected District residents by allowing them to include the statement with their credit reports whenever their credit report was requested and prohibited some users of credit reports from considering adverse information that occurred during the protected time period.

(b) If a District resident’s credit score was negatively impacted due to hardships related to the pandemic, their recovery from the pandemic will be much more difficult. Damage to credit reports makes it harder for consumers to access credit, and it makes credit more expensive.

(c) The protections described in subsection (a) of this section were included in the Coronavirus Support Temporary Amendment Act of 2021, effective June 24, 2021 (D.C. Law 24-9; 68 DCR 4824), which expired on February 4, 2022. In Council Period 24, the Council unanimously approved 2 rounds of emergency and temporary legislation to ensure that this protection is maintained as recovery continues and as negative information remains on credit reports long after it occurs. The second temporary act, the Public Health Emergency Credit Alert Extension Temporary Amendment Act of 2022 became law on March 10, 2023 and expires on October 6, 2023.

(d) A permanent bill, the Public Health Emergency Credit Alert Amendment Act of 2023 (B25-118) was introduced on February 2, 2023 and is pending before the

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Committee of the Whole. An additional round of emergency legislation is necessary now to prevent a gap in the law.

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Public Health Emergency Credit Alert Emergency Amendment Act of 2023 must be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.