

1 Brianne K. Nadeau

2 Councilmember Brianne Nadeau

3  
4  
5 R.C.W.

6 Councilmember Robert C. White, Jr.

7  
8  
9 Vincent C. Gray

10 Councilmember Vincent C. Gray

11  
12  
13 Janeese Lewis George

14 Councilmember Janeese Lewis George

Charles Allen

Councilmember Charles Allen

Matthew Frumin

Councilmember Matthew Frumin

Brooke Pinto

Councilmember Brooke Pinto

Zachary Parker

Councilmember Zachary Parker

19 A BILL

21 \_\_\_\_\_

24 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

26 \_\_\_\_\_

29 To amend the Clean and Affordable Energy Act of 2008 to create the Healthy Homes  
30 Program to install electric appliances for low- and moderate-income households, to  
31 amend the Green Building Act of 2006 to provide that the Green Building Advisory  
32 Council will advise the Mayor on implementation of this act, to amend the  
33 Construction Codes Approval and Amendments Act of 1986 to increase permit fees  
34 for installing appliances or other systems that combust fossil fuels on site, and to  
35 amend the District of Columbia Housing Authority Act of 1999 to prohibit the  
36 District of Columbia Housing Authority from installing appliances or other systems  
37 that combust fossil fuels on site when making a conversion through the Rental  
38 Assistance Demonstration program.

39  
40 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That

41 this act may be cited as the “Healthy Homes and Residential Electrification Amendment  
42 Act of 2023”.

43           Sec. 2. The Clean and Affordable Energy Act of 2008, effective October 22, 2008  
44 (D.C. Law 17-250; D.C. Official Code § 8-1773.01, *et seq.*) is amended by adding a new  
45 section 217 to read as follows:

46           “Sec. 217. Healthy Homes Program established

47           “(a)(1) There is established the Healthy Homes Program (“Program”), to be  
48 administered by DOEE, that shall provide residential electrification retrofits to low- and  
49 moderate-income District households, and that shall provide training and education to  
50 contractors involved in providing residential electrification retrofits through the Program.

51           “(2) DOEE shall provide residential electrification retrofits at no cost to at  
52 least 30,000 low-income households by December 31, 2040, and of the residential  
53 electrification retrofits required by this paragraph at least:

54                       “(A) 5,000 shall be completed by December 31, 2025;

55                       “(B) 10,000 shall be completed by December 31, 2030; and

56                       “(C) 20,000 shall be completed by December 31, 2035.

57           “(3) DOEE shall establish a sliding scale to share the cost of providing  
58 residential electrification retrofits to moderate-income households, except that a household  
59 with an income between 80% and 100% of the median family income, as determined in the  
60 Inclusionary Zoning Maximum Income, Rent, and Purchase Price Schedule most recently  
61 published by the Department of Housing and Community Development, shall not pay more  
62 than 50% of the cost of the residential electrification retrofit.

63           “(4) If funds are available, DOEE may provide additional residential  
64 electrification retrofits to households that are not low- or moderate-income households,  
65 including by establishing a sliding-scale for subsidies.

66           “(5) Residential electrification retrofits made pursuant to paragraphs (3) and

67 (4) of this subsection shall not be counted when determining whether DOEE has met the  
68 requirement established by paragraph (2) of this subsection.

69 “(6)(A) DOEE shall partner with a nonprofit organization or organizations to  
70 provide training and education related to the provision of residential electrification retrofits  
71 for businesses and individuals.

72 “(B) DOEE shall develop a policy to eliminate or reduce the cost to  
73 businesses and individuals of training provided pursuant to subparagraph (A) of this  
74 paragraph, in order to maximize:

75 “(i) Participation in the Program of businesses that are eligible  
76 to be certified as equity impact enterprises; and

77 “(ii) Employment of District residents by businesses  
78 participating in the Program.

79 “(b) By January 1, 2024, DOEE shall publish on its website and submit to the  
80 Council a plan to administer the Program, which shall include:

81 “(1) A description of how residential electrification retrofits will be completed,  
82 including, if DOEE proposes to partner with private contractors to make residential  
83 electrification retrofits, a description of how DOEE will maximize participation of District  
84 residents and businesses that are eligible to be certified as equity impact enterprises;

85 “(2) Eligibility criteria for:

86 “(A) Low- and moderate-income households to receive a residential  
87 electrification retrofit through the Program, including income verification; and

88 “(B) Private contractors to provide residential electrification retrofits  
89 through the Program;

90 “(3) A description of allowable appliances, methods, materials, and technology  
91 to be used in residential electrification retrofits;

92                   “(4) A strategy for prioritizing residential electrification retrofits for  
93 households with the lowest household incomes, and for identifying and prioritizing low-  
94 income households that can receive residential electrification retrofits most cost-effectively,  
95 including by combining electrification retrofits with other services provided by, or  
96 subsidized by, DOEE or other District agencies;

97                   “(5) An estimated number of low- and moderate-income households that will  
98 receive residential electrification retrofits in each year of the Program;

99                   “(6) A description of how DOEE will coordinate with the Green Building  
100 Advisory Council.

101                   “(c) Beginning on January 1, 2025, and annually thereafter, DOEE shall publish on  
102 its website and submit to the Council a report on progress toward meeting the  
103 requirements of subsection (a)(1) and (2) of this section, including the number of residential  
104 electrification retrofits completed in each prior calendar year of the Program’s operation  
105 and the number of residential electrification retrofits planned to be completed in the  
106 following calendar year.

107                   “(d) Subsidies provided by the Program may be combined with other subsidies  
108 provided by DOEE or other District agencies, and residential electrification retrofits  
109 provided by the Program may be performed concurrent with other improvements provided  
110 by, or subsidized by, DOEE or other District agencies.

111                   “(e) For purposes of this section, the term:

112                   “(1) “Equity impact enterprise” shall have the same meaning as in section  
113 2302(8A) of the Small, Local, and Disadvantaged Business Enterprise Development and  
114 Assistance Act of 2005, effective December 3, 2020 (D.C. Law 23-149; D.C. Official Code § 2-  
115 218.02(8A));

116                   (2) “Low-income household” means a household with a total income equal to

117 or less than 80% of the median family income, as determined in the Inclusionary Zoning  
118 Maximum Income, Rent, and Purchase Price Schedule mostly recently published by the  
119 Department of Housing and Community Development;

120 (3) “Moderate-income household” means a household with a total income  
121 greater than 80% but less than 150% of the median family income, as determined in the  
122 Inclusionary Zoning Maximum Income, Rent, and Purchase Price Schedule mostly recently  
123 published by the Department of Housing and Community Development; and

124 “(4) “Residential electrification retrofit” means replacement of all appliances  
125 or other systems, such as an oven, water heater, or heating system, that combust fossil  
126 fuels on site with appliances or other systems that perform the same function and that are  
127 powered exclusively by electricity.”.

128 Sec. 3. Section 10 of the Green Building Act of 2006, effective Marc 8, 2007 (D.C.  
129 Law 16-234; D.C. Official Code § 6-1451.09) is amended as follows:

130 (a) Subsection (c) is amended as follows:

131 (1) Paragraph (1) is amended as follows:

132 (A) The lead-in language is amended by striking the phrase “consist of  
133 the following 13 members” and inserting the phrase “consist of the following 15 members”  
134 in its place.

135 (B) Subparagraphs (G) and (H) are amended by striking the phrase  
136 “One member” each time it occurs and inserting the phrase “Two members” in its place.

137 (b) Subsection (d) is amended as follows:

138 (1) Paragraph (3) is amended by striking the phrase “Codes; and” and  
139 inserting the phrase “Codes;” in its place.

140 (2) Paragraph (4) is amended by striking the phrase “standard.” and inserting  
141 the phrase “standards; and” in its place.

142 (3) A new paragraph (5) is added to read as follows:

143 “(5) Equitable implementation of the requirements of the Healthy Homes and  
144 Residential Electrification Amendment Act of 2023, as introduced on January XX, 2023  
145 (introduced version of B25-XXX).”.

146 Sec. 4. Section 6a(a)(1) of the Construction Codes Approval and Amendments Act of  
147 1986, effective March 21, 1987 (D.C. Law 6-216; D.C. Official Code § 6-1405.01(a)(1)) is  
148 amended as follows:

149 (a) The existing text is designated as subparagraph (A).

150 (b) A new subparagraph (B) is added to read as follows:

151 “(B) When determining the cost of building permits pursuant to this  
152 subsection, for an application that includes installation of an appliance or other system that  
153 combusts fossil fuels on site, including replacement of an existing appliance or other system  
154 that combusts fossil fuels on site, beginning on January 1, 2024, the Building Code Official  
155 shall include a surcharge of at least \$0.005 per British thermal unit for which the  
156 appliances or other systems that combust fossil fuels on site, included in the application,  
157 are rated, in aggregate; provided, that the surcharge required by this subparagraph shall  
158 not be assessed if an application is made by a restaurant, as that term is defined in D.C.  
159 Official Code § 25-101(43).”.

160 Sec. 5. Sec. 26a of the District of Columbia Housing Authority Act of 1999, effective  
161 March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 6-226) is amended by adding a new  
162 subsection (f) to read as follows:

163 “(f) When making a conversion through the Rental Assistance Demonstration  
164 program, authorized by section 8 of the Housing Act of 1937 (42 U.S.C. § 1437f note), the  
165 Authority shall not install appliances or other systems that combust fossil fuel on site.”.

166 Sec. 6. Fiscal impact statement.

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

170           Sec. 7. Effective date.

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