



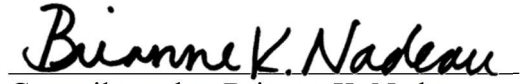
Councilmember Charles Allen



Councilmember Janeese Lewis George



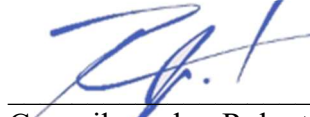
Councilmember Brooke Pinto



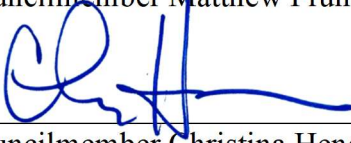
Councilmember Brianne K. Nadeau



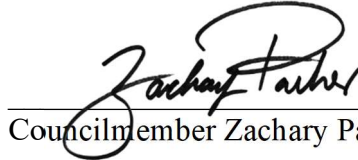
Councilmember Matthew Frumin



Councilmember Robert C. White, Jr.



Councilmember Christina Henderson



Councilmember Zachary Parker

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Lead Service Line Priority Replacement Assistance Act of 2004 to establish a program operated by DC Water and the Department of Energy and Environment to require the removal of lead service lines from public property and from all District government buildings and privately owned properties by January 1, 2030, to require DC Water to create and maintain an inventory of water service lines identifying those that are or could be lead service lines, to provide a tax credit to property owners who voluntarily replace lead service lines from private property through 2025, to establish a schedule of copayments for lead service line removal program participation and penalties for noncompliance, to require reporting on program implementation plans and progress; to amend the Youth Employment Act of 1979 to establish a lead service line job training program at the DC Infrastructure Academy by October 1, 2024 to train 50 District residents each training cycle, to require union participation in job training program development, and to create plans for youth workforce training programs and the DC Infrastructure Academy that advance the District’s lead remediation goals; to amend the Minimum Wage Act Revision Act of 1992 to require employers to pay workers District minimum wage rates when an employee preforms at least two hours of work in the District in one workweek; and to amend the Accrued Sick and Safe Leave Act of 2008 to require paid sick leave for students enrolled in a District-administered paid job training program.

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26 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
27 act may be cited as the “Green New Deal for a Lead-Free DC Amendment Act of 2023”.

28 **TITLE I. LEAD SERVICE LINE REPLACEMENT MANDATE**

29 Sec. 101. This title may be cited as the “Lead Service Line Replacement Mandate
30 Amendment Act of 2023”.

31 Sec. 102. The Lead Service Line Priority Replacement Assistance Act of 2004, effective
32 December 7, 2004 (Subtitle VI-B of D.C. Law 15-205; D.C. Official Code § 34-2151 *et seq.*), is
33 amended as follows:

34 (a) Section 6012 is repealed.

35 (b) Section 6013 is repealed.

36 (c) Section 6014 is repealed.

37 (d) Section 6015 is repealed.

38 (e) New sections 6015a through 6015g are added to read as follows:

39 “Sec. 6015a. Definitions.

40 “For the purposes of this subtitle the term:

41 “(1) “DGS” means the Department of General Services or any successor to its
42 property management functions.

43 “(2) “DOEE” means the Department of Energy and Environment.

44 “(3) “DC Water” means the District of Columbia Water and Sewer Authority.

45 “(4) “Fund” means the Lead Service Line Replacement Fund established pursuant
46 to section 6019b(i).

47 “(5) “Inventory” means the inventory of water service lines established and
48 maintained by DC Water pursuant to section 6015c.

49 “(6) “Lead service line” means a water service line where all or any portion
50 contains or may contain any lead, and shall include a water service line that is brass, galvanized,
51 or any other material that could leach lead into drinking water, as determined by DC Water.

52 “(7) “Lead-free service line” means a water service line where no portion is a lead
53 service line, to the knowledge of DC Water with a high degree of confidence.

54 “(8) “Program” means the lead service line removal and replacement program
55 established by DC Water pursuant to section 6015d.

56 “(9) “Property owner” means a person or entity, other than the District or U.S.
57 government, that owns real property or holds a long-term leasehold interest in real property that
58 is located in the District and that is serviced by the DC Water drinking water system or otherwise
59 contains a water service line that is part of the DC Water drinking water system.

60 “(10) “Water service line” means a water service line (regardless of its material
61 composition), including a gooseneck or a pigtail, extending from its connection with a water
62 main to its intersection with either a property boundary or a point at which the water service line
63 is 18 inches from a building or structural projection, whichever results in a longer water service
64 line.

65 “Sec. 6015b. Elimination of lead service lines by 2030.

66 “Lead service lines shall be eliminated from public space and from all real property
67 owned by the District or a property owner by January 1, 2030.

68 “Sec. 6015c. Inventory of water service lines.

69 “(a) DC Water shall establish and maintain an inventory of all water service lines that are
70 connected to its water service system. For each water service line, the inventory shall identify:

71 “(1) The service address of each customer served by the water service line;

72 “(2) Information describing the actual location of the water service line, if known;

73 “(3) The material composition of the water service line, if known, and a rating of

74 DC Water’s confidence in the accuracy of this information;

75 “(4) The method by which the material composition of the water service line has

76 been determined and the date of such determination;

77 “(5) Whether all or any portion of the water service line is a lead service line;

78 “(6) If applicable, the date when a former lead service line was fully replaced,

79 such that no portion of the water service line was a lead service line; and

80 “(7) Any other information that DC Water or the District determine is appropriate.

81 “(b) Whenever a new connection to the water service system is established, DC Water

82 shall require the property owner to provide such information as DC Water may determine is

83 necessary to add the new water service line to the inventory.

84 “(c) DC Water shall attain a high degree of confidence in the accuracy of the inventory’s

85 record of the material composition of 90 percent of water service lines by January 1, 2027, and

86 99 percent of water service lines by January 1, 2030.

87 “(d) DC Water shall publish on its website a copy of the inventory data and a map

88 depicting the information required to be included in the inventory.

89 “Sec. 6015d. Lead service line removal program.

90 “(a)(1) By January 1, 2024, DC Water shall establish a lead service line removal program

91 for the purpose of replacing lead service lines on private property by 2030 (the “Program”).

92 “(2) The Program shall underwrite the costs of:

93 “(A) Replacing lead service lines on private property after property

94 owners register and remit a copayment for participation in the Program; and

95 “(B) Providing tap filters to residential customers for use until lead service
96 lines are replaced.

97 “(3) The cost of Program copayments may not be passed on to any residential
98 tenants renting the property.

99 “(b) DC Water shall publish a schedule of copayments, not to exceed an amount of \$250
100 per dwelling unit on any private property, property owners must pay to participate in the
101 Program. DC Water shall consider the following factors when developing the schedule of
102 copayments:

103 “(1) Whether the structure or structures served by the lead service line are:

104 “(A) Commercial or residential; and

105 “(B) If residential, whether single-family or multi-family.

106 “(2) The assessed value of the structure served by the lead service line;

107 “(3) Whether the property owner is an individual or an entity;

108 “(4) The estimated cost of replacing the lead service line at the property; and

109 “(5) The property owner’s ability to pay.

110 “(c)(1) Unless it is determined with a high degree of confidence that a Program
111 participant’s water service line is a lead-free service line, DC Water shall replace the lead service
112 line of a property owner no more than 2 years after the property owner registers for the Program
113 and remits the copayment.

114 “(2) Replacement shall include:

115 “(A) Removal of a lead service line from public space and private property
116 and installation of a lead-free service line;

117 “(B) Replacement and leveling of dirt and soil displaced during
118 excavation; and

119 “(C) Replacement or restoration of interior and exterior walls and floors
120 damaged or demolished during removal and replacement to a safe and habitable condition.

121 “(3) DC Water shall contract for lead service line replacement services with at
122 least two companies whose workers are unionized and shall make those companies known to
123 Program participants.

124 “(4) DC Water shall provide a choice to Program participants to use union labor
125 for the purpose of lead service line removal on their property.

126 “(d) In scheduling replacements to be carried out through the Program, DC Water shall
127 prioritize all of the following considerations in an order it determines is appropriate:

128 “(1) Replacement of lead service lines that service structures wherein pregnant
129 people or children under the age of 7 are likely to drink or use water;

130 “(2) The efficient use of time and money by replacing all lead service lines within
131 a single block at one time and in concert with other underground utility work; and

132 “(3) Equity in light of racial, social, and economic disparities.

133 “Sec. 6015e. Implementation of mandate to remove lead service lines.

134 “(a) By January 1, 2024, DC Water shall send a written notice to every customer
135 receiving water service in the District. The notice shall:

136 “(1) Explain in plain language the risks to human health of lead exposure through
137 drinking water and the availability of lead-free pipes;

138 “(2) State whether each water service line serving the customer is a lead-free
139 service line or a lead service line, and disclose the degree of confidence that DC Water has in
140 each such determination;

141 “(3) Communicate the requirement that all lead service lines must be replaced by
142 January 1, 2030;

143 “(4) Provide information about registration for the lead service line removal
144 program; and

145 “(5) Provide an approximate timeframe and methods for collecting information
146 needed to establish the materials of each water service line with a high degree of confidence,
147 including the procedure for property owners to demonstrate the existence of a lead-free service
148 line.

149 “(b) By January 1, 2025, DC Water shall physically post notice of the requirement to
150 remove lead service lines or register for the lead service line removal Program at each District
151 property that is not serviced by lead-free service line.

152 “(c)(1) By June 30, 2025, the property owner of a structure that is serviced by a lead
153 service line shall:

154 “(A) Submit proof, acceptable to DC Water, of the installation of a lead-
155 free service line or of the existing water service line having a material composition that qualifies
156 it as a lead-free service line; or

157 “(B) Register for the lead service line removal Program and, if applicable,
158 remit the copay prescribed in section 6015d.

159 “(2) Notwithstanding paragraph (1) of this subsection, DC Water may extend the
160 deadline if the property owner has taken reasonable steps to secure services for materials testing
161 and replacement and capacity limitations prevent compliance with the deadline.

162 “(d) After June 30, 2025, DC Water shall remit a list of properties and property owners
163 not in compliance with subsection (b) of this section to DOEE and the Department of Buildings.

164 “(e)(1)(A) After June 30, 2025, a property owner who fails to comply with subsection (b)
165 of this section, shall be fined up to \$150 per month for every month of non-compliance,
166 according to a schedule of fines published by the Mayor that takes into account property type and
167 use, for every month the property owner fails to comply.

168 “(B) A property owner assessed fines pursuant to subparagraph (A) of this
169 paragraph who submits proof that the lead service line was removed after June 30, 2025, may
170 elect to have the one-half of the value of the fines assessed reduced by the cost of replacement of
171 the lead service line.

172 “(2) After December 31, 2025, a property owner who fails to comply with
173 subsection (b) of this section may not:

174 “(A) Receive or renew a business license to operate a business on the
175 property;

176 “(B) Receive a certificate of occupancy for any structure on the property;
177 or

178 “(C) Receive a permit to perform construction or improvements on the
179 property unless the property owner has a permit to replace the lead service line;

180 “(3)(A) After December 31, 2025, a tenant who resides in a property owned or
181 controlled by a property owner who has failed to comply with subsection (b) of this section may

182 bring a private cause of action for abatement of the lead service line against the property owner
183 in D.C. Superior Court. If a court finds that the property owner has violated the requirements of
184 subsection (b), the property owner shall pay the tenants’ attorney fees and a fine of up to
185 \$25,000, 50% of which shall be deposited into the Fund, and the remaining 50% divided among
186 tenants of the property.

187 “(B)(1) By December 31, 2025, the Department of Buildings shall post a
188 notice informing tenants of their rights under subparagraph (A) of this paragraph on each
189 building serviced by a lead service line and owned or controlled by a private property owner who
190 has failed to comply with subsection (b) of this section.

191 “(2) Photographic evidence of the posting shall accompany all
192 notices and shall be published on any public database of building citations maintained by the
193 Department of Buildings.

194 “(C) The Office of the Tenant Advocate shall provide guidance to any
195 tenant who seeks to initiate a cause of action for lead service line abatement and removal
196 pursuant to this paragraph.

197 “(4)(A) After June 30, 2026, the Attorney General may initiate a civil action
198 against a property owner to abate any lead service lines on the property.

199 “(B) The property owner shall pay the cost to relocate any residential
200 tenants displaced during the lead service line abatement.

201 “(C) Before initiating an abatement action against a property owner who
202 resides in a property serviced by a lead service line, the Attorney General shall attempt out-of-
203 court resolution to remove the lead service line, including by referring the property owner to DC
204 Water for assistance in registering for the lead water line removal program.

205 “(D) If a court finds against the property owner, the court shall order the
206 property owner to pay the Attorney General’s attorneys’ fees and a fine of up to \$15,000, which
207 shall be deposited into the Fund.

208 “(f) A landlord shall pay any cost to relocate residential tenants temporarily displaced in
209 order to comply with lead service line removal requirements of this section.

210 “Sec. 6015f. Tax credit for lead service line replacement.

211 “(a) A property owner shall be entitled to claim a credit, in an amount not to exceed
212 \$5,000, against the amount of income tax due pursuant to Chapter 18 of Title 47 of the D.C.
213 Official Code for the property owner’s actual costs of replacing a lead service line, installing a
214 lead-free service line, and restoring or improving the ground between the first day of the tax year
215 in which the Lead Service Line Replacement Mandate Act of 2023, effective ____, 2023 (Title I
216 of Bill 25-____), became effective and applicable, and December 31, 2025.

217 “(b) The Chief Financial Officer shall issue regulations as may be necessary to establish
218 procedures or requirements for claiming the tax credit authorized in this section.

219 “Sec. 6015g. District removal of lead service lines.

220 “DGS, DOEE, and DC Water shall coordinate and accomplish the removal of lead
221 service lines from all public property spaces and District-owned and leased property, including
222 property leased from or by the District, by January 1, 2028.”.

223 (f) Section 6019a is amended as follows:

224 (1) Subsection (d) is repealed; and

225 (2) A new subsection (e) is added to read as follows:

226 “(e) This section shall expire on June 30, 2025.”.

227 (g) Section 6019b is amended as follows:

228 (1) Subsection (a) is amended by striking the phrase “(“Program”)” and inserting
229 the phrase “(“Assistance Program”)” in its place;

230 (2) Subsection (b)(1)(C) is amended by striking the number “2,500” and inserting
231 the number “5,000” in its place;

232 (3) A new subsection (h-1) is added to read as follows:

233 “(h-1) Subsections (a) through (h) shall expire on June 30, 2025.”;

234 (4) Subsection (i) is amended as follows:

235 (A) Paragraph (2) is amended to read as follows:

236 “(2) Revenue from the following sources shall be deposited in the Fund:

237 “(A) Copayments from registrations for the lead service line removal
238 Program pursuant to this subtitle.

239 “(B) Fines assessed against property owners who failed to timely register
240 for the lead service line removal Program;

241 “(C) Fines paid to the fund from abatement actions brought pursuant to
242 this subtitle;

243 “(D) Federal funds awarded to the District or DC Water for the purpose of
244 lead service line remediation and replacement;

245 “(E) Proceeds, net of issuance costs, of any revenue bonds or other special
246 obligation indebtedness that may be issued in the future to finance lead service line replacement,
247 including indebtedness payable from special assessments that may be authorized in the future on
248 properties that will be benefited by replacement of lead service lines, and any revenue from such
249 special assessments that is not required to be deposited into a fund to pay debt service; and

250 “(F) Such other amounts as may be appropriated to the Fund.”.

251 (B) Paragraph (3) is amended to read as follows:

252 “(3) Money in the Fund shall be used to pay the costs of the Assistance Program
253 and administering the lead service line removal Program.”.

254 (5) Subsection (j) is amended by striking the phrase “end of each fiscal year,” and
255 inserting the phrase “end of each fiscal year, though the end of Fiscal Year 2026,” in its place.

256 (h) Section 6019d is amended as follows:

257 (1) The existing language is redesignated as subsection (a).

258 (2) New subsections (b) and (c) are added to read as follows:

259 “(b) By June 30, 2025, DOEE and DC Water shall submit to the Mayor a joint report that
260 includes the following information:

261 “(1) A plan for the implementation of the lead service line removal Program
262 pursuant to section 6015d.

263 “(2) The total number of remaining lead service lines in the District by January 1,
264 2024 and the total number of private property owners who received notices of the existence of
265 lead service lines on their property pursuant to section 6015d(a) broken down by:

266 “(A) Ward;

267 “(B) Advisory Neighborhood Commission;

268 “(C) Commercial versus residential property; and

269 “(D) The number of properties who have previously refused lead service
270 line removal services;

271 “(3) The total private property owners who provided proof of lead remediation
272 compliance or registered for the Program in compliance with section 6015d(b), as of the printing
273 of the report, broken down by:

274 “(A) Ward;
275 “(B) Advisory Neighborhood Commission;
276 “(C) Commercial versus residential property; and
277 “(D) The number of properties who have previously refused lead service
278 line removal services;

279 “(4) The total number of private property owners not yet registered for the
280 Program, as of the printing of the report, broken down by:

281 “(A) Ward;
282 “(B) Advisory Neighborhood Commission;
283 “(C) Commercial versus residential property; and
284 “(D) The reason or reasons, if known, for non-compliance to date,
285 including any history of engagement with property owners not yet in compliance.

286 “(5) The estimated number of professionals in the lead service line remediation
287 workforce, including the number of contractors engaged by the District, the size of each
288 contractor’s workforce, and whether each workforce is unionized.

289 “(6) A projected budget and spending plan through fiscal year 2030 for the full
290 remediation of all lead service lines.

291 “(c) By December 31, 2026, and annually thereafter, DOEE and DC Water shall submit
292 to the Mayor a joint report including the following information:

293 “(1) The implementation status of the Program including the number of lines
294 removed and replaced with lead-free pipes, in progress for remediation, and remaining to be
295 removed;

296 “(2) Geographic and demographic summaries of property owners in or out of
297 compliance with program requirements;

298 “(3) The budget status and funding needs of the Program; and

299 “(4) A summary of barriers to implementation and recommendations for solving
300 or removing these barriers.”.

301 **TITLE II. LEAD-FREE DC GREEN JOB CREATION**

302 Sec. 201. This title may be cited as the “Lead-Free DC Green Job Creation Amendment
303 Act of 2023”.

304 Sec. 202. The Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law
305 3-46, D.C. Official Code § 32-241 *et seq.*), is amended as follows:

306 (a) Section 2c(c) (D.C. Official Code § 32-244(c)) is amended to add a new paragraph (9)
307 to read as follows:

308 “(9) A strategy to link youth workforce development programming with
309 objectives of the Lead Service Line Priority Replacement Assistance Act of 2004, effective
310 December 7, 2004 (D.C. Law 15-205; D.C. Official Code § 34-2151 *et seq.*).”.

311 (b) Section 2e (D.C. Official Code § 32-246) is amended as follows:

312 (1) Subsection (a)(2) is amended as follows:

313 (A) Subparagraph (C)(ii) is amended by striking the phrase “; and” and
314 inserting a semicolon in its place.

315 (B) Subparagraph (D) is amended by striking the period and adding the
316 phrase “; and” in its place.

317 (C) A new subparagraph (E) is added to read as follows:

318 “(E) When a customized skill training program is created specifically for a
319 particular employer and a union exists that represents or organizes workers employed by that
320 particular employer, or organizes workers in that specific career industry, seeking input from the
321 local union or unions consistent with the requirements outlined in subparagraphs (B) and (C) of
322 this paragraph, provided that no more than two unions need to be consulted when multiple
323 unions represent workers in a similar sector;”.

324 (2) Subsection (c) is amended by adding a new paragraph (3) to read as follows:

325 “(3) At least 10% of the participants receiving skills training through the DCIA
326 each year shall graduate into jobs that provide the opportunity to be represented by a union.”.

327 (3) A new subsection (e) is added to read as follows:

328 “(e)(1) By October 1, 2024, a lead service line remediation and removal job training
329 curriculum and program partnership shall be established at DCIA in consultation with the DC
330 Water and Sewer Authority, the District Department of Energy and the Environment, and at least
331 2 local union shops that represent workers in plumbing or construction sectors.

332 “(2) The program shall also train workers with generalized plumbing and water
333 line repair and maintenance skills.

334 “(3)(A) The program shall have the capacity to train and shall, to the extent
335 practicable, train a minimum of 50 District residents in each training cycle;

336 “(B) The training capacity shall expand by not less than 10% every 2 years
337 until October 1, 2030.

338 “(4) The Mayor shall attempt to apply for and exhaust sources of federal and other
339 non-local funds before applying local funds to pay for job training programs prescribed pursuant
340 to paragraphs (1) and (2) of this subsection.”.

341 (c) Section 2f (D.C. Official Code § 32-247) is amended as follows:

342 (1) Subsection (a) is amended by adding a new paragraph (3A) to read as follows:

343 “(3A) Each committee shall consist of representatives of at least 2 union
344 organizations or shop stewards from the relevant industry sector, when union sector
345 representation exists, whom the Director shall appoint.”.

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

347 “(1) Recommendations of 2 to 4 specific occupational skills trainings DCIA
348 should offer, including at least one recommendation related to occupations that improve
349 environmental health in District housing or public spaces.”.

350 Sec. 203. Section 4 of the Minimum Wage Act Revision Act of 1992, effective March
351 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1003) is amended as follows:

352 (a) Subsection (b) is amended by striking the phrase “Columbia when:” and inserting the
353 phrase, “Columbia, and shall be paid not less than the District’s minimum wage for all hours
354 worked for their employer, when:”.

355 (b) A new subsection (b-1) is added to read as follows:

356 “(b-1) When an employee works more than two hours in a workweek in the District of
357 Columbia for an employer, the hours of work physically performed in the District shall be
358 subject to the District’s minimum wage rate set forth in subsection (a) of this section.”.

359 Sec. 204. Section 2(E) of the Accrued Sick and Safe Leave Act of 2008, effective May
360 13, 2008 (D.C. Law 17-152; D.C. Official Code § 32-531.01(2)(E)) is amended to read as
361 follows:

362 “(E) A student, except to the extent that the student is a participant in an on-the-
363 job training or apprenticeship program established pursuant to the Youth Employment Act of
364 1979, effective January 5, 1980 (D.C. Law 3-46, D.C. Official Code § 32-241 *et seq.*);”.

365 **TITLE III. FISCAL IMPACT STATEMENT; EFFECTIVE DATE.**

366 Sec. 301. Fiscal impact statement; applicability.

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

370 (b) This act shall apply upon inclusion of its fiscal effect in an approved budget and
371 financial plan.

372 Sec. 302. Effective date.

373 This act shall take effect following approval by the Mayor (or in the event of veto by the
374 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
375 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
376 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
377 Columbia Register.