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A BILL

25-580

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA



To amend, on a temporary basis, the District of Columbia Public Emergency Act of 1980 to authorize the Mayor to extend the duration of public emergencies related to the opioid crisis and juvenile crime and to clarify the types of diseases and other circumstances that may constitute a public emergency.

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 2023”.

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 “Outbreak of a communicable disease” and inserting the phrase “Outbreak of a communicable disease, or significant existence of a deadly or otherwise dangerous disease, disorder, condition, or activity,” in its place.

(b) Section 7 (D.C. Official Code § 7-2306) is amended by adding a new subsection (c-1) to read as follows:

“(c-1)(1) Notwithstanding subsections (b) and (c) of this section, the Mayor may extend the 15-day November 13, 2023, emergency executive order declaring a public emergency in response to the opioid crisis (Mayor’s Order 2023-141) and the 15-day November 13, 2023, emergency executive order declaring a public emergency in response to

30 juvenile crime (Mayor’s Order 2023-141) until ~~March 31, 2024~~ February 15, 2024. After the
31 extensions authorized by this subsection, the Mayor may extend the emergency orders for
32 additional 15-day periods pursuant to subsection (b) or (c) of this subsection.

33 “(2) Notwithstanding section 5(b) (D.C. Official Code § 7-2304(b)), the
34 Mayor shall comply with all District laws when exercising her authority pursuant to Mayor’s
35 Order 2023-141, including those laws stated in Mayor’s Order 2023-141 to be subject to waiver,
36 suspension, or modification; except, that the Mayor may waive the requirements of the following
37 laws to respond to the emergencies declared in Mayor’s Order 2023-141:

38 “(A) Title IV of the Procurement Practices Reform Act of 2010,
39 effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-354.01 *et seq.*).

40 “(3) The Mayor shall, prior to any exercise of the authority granted by this
41 ~~paragraph~~ subsection, provide written notice to the Council. Such notice shall include, at a
42 minimum:

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

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

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

48 “(i) The source selection method, including whether the
49 procurement was competitively sourced;

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

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

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

56 Sec. 2a. Office of Independent Juvenile Justice Facilities Oversight.

57 (a) Upon the sunset of the operations of the Office of Independent Juvenile Justice
58 Facilities Oversight (“predecessor Office”) pursuant to section VIII of Mayor’s Order 2020-115
59 issued November 13, 2020 (67 DCR 13813) (“Mayor’s Order 2020-115”), or a succeeding
60 Mayor’s Order, there shall be established a new Office of Independent Juvenile Justice Facilities
61 Oversight (“successor Office”) in the executive branch of the District of Columbia government.

62 (b) All personnel, records, property, duties, structure, authorities and powers, dispute
63 resolution procedures, confidentiality and anti-retaliation procedures, and funding and
64 organization assigned to the predecessor Office pursuant to sections I, II, III, IV, V, VI, and VII
65 of Mayor’s Order 2020-115, shall be transferred to the successor Office.

66 (c) Notice of any request to reprogram successor Office funds made by the Executive to
67 the Chief Financial Officer shall be provided by the Chief Financial Officer to all Councilmembers
68 within 24 hours after the reprogramming is requested, regardless of the amount of funds intended
69 to be reprogrammed.

70 Sec. 3. Applicability.

71 Section 2(a) shall apply as of November 13, 2023.

72 Sec. 4. Fiscal impact statement.

73 The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal
74 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
75 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

76 Sec. 5. Effective date.

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

82 (b) This act shall expire after 225 days of its having taken effect.