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6 A PROPOSED RESOLUTION
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10 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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15 To declare the existence of an emergency with respect to the need to close a loophole in the existing
16 law that allows large out-of-state firms to certify as local business enterprises.
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18 RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
19 resolution may be cited as the “Local Business Enterprise Clarification Emergency Declaration
20 Resolution of 2023”.
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22 Sec. 2. (a) The goal of the Department of Small and Local Business Development is to
23 stimulate and foster the economic growth and development of businesses based in the District of
24 Columbia. Due to a loophole, many large, out-of-District businesses have been able to legally
25 certify as local business enterprises.

26 (b) The Council has enacted emergency and temporary legislation to close this loophole.
27 The most recent legislation, the Local Business Clarification Temporary Amendment Act of
28 2022, effective June 30, 2022 (D.C. Law 24-0139; 69 DCR 8343), expires on February 10, 2023
29 (“temporary legislation”).

30 (c) It is important to keep the provisions of the temporary legislation effective law until
31 permanent legislation is enacted so that local businesses continue to have a fair shot in the
32 District’s contracting and procurement process.

33 Sec. 3. The Council of the District of Columbia determines that the circumstances
34 enumerated in section 2 constitute emergency circumstances making it necessary that the Local

35 Business Enterprise Clarification Emergency Amendment Act of 2023 be adopted after a single
36 reading.

37 Sec. 4. This resolution shall take effect immediately.