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6 A BILL

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9 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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11  
12 To amend The Lead Service Line Priority Replacement Assistance Act of 2004 to establish a  
13 program operated by DC Water and the Department of Energy and Environment, to  
14 require the removal of lead water service lines from public property and from all District  
15 government buildings and privately owned properties by January 1, 2030, to increase  
16 financial incentives for voluntary removal of lead water service lines from private  
17 property through 2025, to establish a schedule of copayments for lead water service line  
18 removal program participation and penalties for noncompliance, to require reporting on  
19 program implementation plans and progress; to amend The Youth Employment Act of  
20 1979 to establish a lead water service line job training program at the DC Infrastructure  
21 Academy by October 1, 2024 to train 50 District residents each training cycle, to require  
22 union participation in job training program development, and to create plans for youth  
23 workforce training programs and the DC Infrastructure Academy that advance the  
24 District’s lead remediation goals; to amend the Minimum Wage Act Revision Act of  
25 1992 to require employers pay workers District minimum wage rates when an employee  
26 preforms at least two hours of work in the District in one workweek; and to amend the  
27 Accrued Sick and Safe Leave Act of 2008 to require paid sick leave for students enrolled  
28 in a District-administered paid job training program.

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32 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
33 act may be cited as the “Green New Deal for a Lead-Free DC Amendment Act of 2022”.

34  
35 **TITLE I. LEAD WATER SERVICE LINE REMOVAL PROGRAM**

36 Sec. 101. This title may be cited as the “Lead Water Service Line Removal Program  
37 Amendment Act of 2022”.

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

41           (a) Section 6012 is repealed.

42           (b) Section 6013 is repealed.

43           (c) Section 6014 is repealed.

44           (d) Section 6015 is repealed.

45           (e) New sections 6015a through 6015f are added to read as follows:

46           “Sec. 6015a. Definitions.

47           “For the purposes of this subtitle the term:

48                   “(1) “DGS” means Department of General Services.

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

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

51                   “(4) “Dwelling unit” means a single-family home or one apartment unit or  
52 townhome unit in a multi-unit building.

53                   “(5) “Fund” means the Lead Service Line Replacement Fund established pursuant  
54 to section 6019b(i).

55                   “(6) Lead water service line” means a water service line containing any lead and  
56 shall include a:

57                           “(A) Brass water service line; or

58                           “(B) Galvanized water service line.

59                   “(7) “Property owner” means a person, other than the District or U.S. government,  
60 that owns real property or holds a long-term land-lease on real property in the District on which a  
61 structure is erected.

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

63                   Lead water service lines shall be eliminated from public property and from all District-  
64 government and privately-owned buildings by January 1, 2030.

65                   “Sec. 6015c. Existing structures; removal requirement; failure to comply.

66                   “(a)(1) By January 1, 2024, DC Water shall send written notice of the requirement to  
67 remove lead water service lines or register for the lead water service line removal program to  
68 each property owner of private District property at which:

69                                 “(A) DC Water reasonably believes a lead water service line is being used  
70 to deliver water to a structure on the property; or

71                                 “(B) DC Water lacks data or information to verify that a lead water service  
72 line is not being used to deliver water to a structure on the property.

73                                 (2) DC Water shall regularly publish an up-to-date map of the properties  
74 described in paragraph (1) of this subsection on its website.

75                                 (3) By January 1, 2025, DC Water shall physically post notice of the requirement  
76 to remove lead water service lines or register for the lead water service line removal program at  
77 each non-private District property described in paragraphs (1)(A) and (B) of this subsection.  
78 Photographic evidence of the posting shall accompany all notices and shall be published on any  
79 public database of building citations maintained by the Department of Buildings.

80                   “(b) By June 30, 2025, a property owner that owns property identified pursuant to  
81 subsection (a) of this section shall:

82                   “(1) Submit proof, acceptable to DC Water, that no lead water service lines are  
83 being used to deliver water to a structure on the property; or

84                   “(2) Register for the lead water service line removal program and, if applicable,  
85 remit the copay prescribed in section 6015e.

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

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

92                   “(B) A property owner assessed fines pursuant to subparagraph (A) of this  
93 paragraph who submits proof that the lead water service line was removed after June 30, 2025,  
94 may elect to have the ½ of the value of the fines assessed reduced by the cost of removal of the  
95 lead water service line.

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

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

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

101 or

102                   “(C) Receive a permit to perform construction or improvements on the  
103 property unless the permit includes removal of the lead water service line;

104

105                   “(3)(A) After December 31, 2025, a tenant who resides in a property owned or  
106 controlled by a property owner who has failed to comply with subsection (b) of this section may  
107 bring a private cause of action for abatement of the lead water service line against the property  
108 owner in D.C. Superior Court. If a court finds in favor of a tenant, the property owner shall pay  
109 the tenants’ attorneys fees and a fine of up to \$25,000, 50% of which shall be deposited into the  
110 Fund, and the remaining 50% divided between tenants of the property.

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

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

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

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

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

125                   “(C) Before initiating an abatement action against a property owner who  
126 resides in a property serviced by a lead water service line, the Attorney General shall attempt

127 out-of-court resolution to remove the lead water service line, including by referring the property  
128 owner to the DOEE for assistance in registering for the lead water line removal program.

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

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

134 “Sec. 6015d. Tax incentives for lead service line removal.

135 “Beginning in tax year 2024, a property owner that submits proof that lead water service  
136 line removal was performed on their private property between the effective date of the Lead  
137 water service line removal amendment act of 2022, introduced on April 26, 2022 (Bill 24- \_\_\_\_)  
138 and June 30, 2026, shall be entitled to claim an income tax credit equal to the cost of the  
139 remediation and removal up to \$5,000.

140 “Sec. 6015e. District removal of lead water service lines.

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

144 “Sec. 6015f. Lead water service line removal program.

145 “(a)(1) By January 1, 2024, DOEE, in coordination with DC Water, shall establish a lead  
146 water service line removal program for the purpose of replacing lead water service lines on  
147 private property by 2030 (“Program”).

148 “(2) The Program shall underwrite the cost of replacing lead water service lines  
149 on private property after property owners register and remit a copayment for participation in the

150 program. The cost of program copayments may not be passed on to any tenants residing on the  
151 property.

152 “(b) DOEE shall publish a schedule of copayments, not to exceed an amount of \$250 per  
153 dwelling on any private property, property owners must pay to participate in the program. DOEE  
154 shall consider the following factors when developing the schedule of copayments:

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

156 “(A) Commercial or residential; and

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

158 “(2) The square footage of the structure served by the lead water service line;

159 “(3) Whether the property owner is an individual or an institution;

160 “(4) The estimated cost of removing the lead water service line at the property;

161 and

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

163 “(c)(1) DOEE shall remove the lead water service line of a property owner no more than  
164 2 years after the property owner registers for the Program and remits the copayment.

165 (2) Removal shall include:

166 “(A) Replacement of the portion of the lead water service line on private  
167 property with a non-lead water service line;

168 “(B) Replacement and leveling of dirt and soil displaced during  
169 excavation; and

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

172 “(3) DOEE shall contract with at least two companies to perform lead water  
173 service line removal whose workers are unionized and shall make those companies known on the  
174 printed and online Program materials.

175 “(4) DOEE shall provide a choice to property owners to use union labor for the  
176 purpose of lead water service line removal on their property.

177 “(d) DOEE shall prioritize removal, within 6 months of discovery, of lead water service  
178 lines that service structures wherein children under the age of 7 are likely to use water.

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

180 (1) Subsection (d) is repealed.

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

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

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

184 (1) Subsection (a) is amended by striking the phrase “(“Program”)” and inserting  
185 the phrase “(“Assistance Program”)” in its place.

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

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

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

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

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

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

193 “(A) Copayments from registrations for the lead water service line  
194 removal program pursuant to this act.



195                           “(B) Fines assessed against property owners who failed to timely register  
196 for the lead water service line removal program;

197                           “(C) Fines paid to the fund from abatement actions brought pursuant to  
198 this act;

199                           “(D) Federal funds awarded to the District for the purpose of lead water  
200 service line remediation and replacement; and

201                           “(E) Such amounts as may be appropriated to the Fund.”.

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

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

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

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

208                           (1) Redesignate the lead-in language as subsection (a).

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

210                           “(b) By December 31, 2025, DOEE and DC Water shall submit to the Mayor a joint  
211 report that includes the following information:

212                           “(1) A plan for the implementation of the lead water service line removal program  
213 pursuant to section 6015f.

214                           “(2) The total number of remaining lead service lines in the District by January 1,  
215 2024 and the total number of private property owners who received notices of the existence of  
216 lead water service lines on their property pursuant to section 6015c(a) broken down by:

217                           “(A) Ward;

218                           “(B) Advisory Neighborhood Commission;  
219                           “(C) Commercial versus residential property; and  
220                           “(D) The number of properties who have previously refused lead water  
221 service line removal services;

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

225                           “(A) Ward;  
226                           “(B) Advisory Neighborhood Commission;  
227                           “(C) Commercial versus residential property; and  
228                           “(D) The number of properties who have previously refused lead water  
229 service line removal services;

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

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

237                           “(5) The estimated number of professionals in the lead water service line  
238 remediation workforce, including the number of contractors the District holds agreements with  
239 and the size of their workforce, and whether their workforce is unionized.

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

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

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

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

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

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

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

253                   Sec. 201. This title may be cited as the “Lead-Free DC Green Job Creation Amendment  
254 Act of 2022”.

255                   Sec. 202. The Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-  
256 46, D.C. Official Code § 32-241 et seq.), is amended as follows:

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

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

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

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

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

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

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

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

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

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

278 (3) A new subsection (d) is added to read as follows:

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

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

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

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

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

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

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

295                   “(3A) Each committee shall consist of representatives of at least 2 union  
296 organizations or shop stewards from the relevant industry sector, when union sector  
297 representation exists, whom the Director shall appoint.”.

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

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

302                   Sec. 203. Section 4 of The Minimum Wage Act Revision Act of 1992, effective March  
303 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1003) is amended as follows:

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

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

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

311           Sec. 204. Section 2 of the Accrued Sick and Safe Leave Act of 2008, effective May 13,  
312 2008 (D.C. Law 17-152; D.C. Official Code § 32-531.01(2)(E)) is amended by striking the  
313 semicolon and inserting the phrase “, except when a student is a participant in an on-the-job  
314 training or apprenticeship established pursuant D.C. Official Code § 32-241, et seq;”.

315   **TITLE III. FISCAL IMPACT STATEMENT.**

316           Sec. 301. The Council adopts the fiscal impact statement in the committee report as the  
317 fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975,  
318 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

319   **TITLE IV. EFFECTIVE DATE.**

320           Sec. 401. This act shall take effect following approval by the Mayor (or in the event of  
321 veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional  
322 review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved  
323 December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the  
324 District of Columbia Register.