

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

*Codification
District of
Columbia
Official Code*

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To amend, on temporary basis, the Equal Opportunity for Local, Small, and Disadvantaged Business Enterprises Act of 1998 to change the definition of a local business and to require business enterprises seeking local business enterprise certification to provide additional documentation and verification to the District of Columbia Local Business Opportunity Commission or the Office of Local Business Development.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Local, Small, and Disadvantaged Business Enterprises Certification Temporary Amendment Act of 2005”.

Sec. 2. The Equal Opportunity for Local, Small, and Disadvantaged Business Enterprises Act of 1998, effective April 27, 1999 (D.C. Law 12-268; D.C. Official Code §2-217.01 *et seq.*), is amended as follows:

(a) Section 2(7) (D.C. Official Code §2-217.01(7)) is amended to read as follows:
“ (7) Local business enterprise” means a business enterprise that is licensed pursuant to Chapter 28 of Title 47 or subject to the tax levied under subchapter X of Chapter 18 of Title 47 and:

Note,
§ 2-217.01

“(A) The headquarters of the business is located in the District;
“(B) The chief executive officer and the highest-level managerial employees of the business have their offices and perform their managerial functions in the District;

“(C) The physical resources to provide the services indicated in the application of the business for certification are located in the District; and

“(D) At least 51% of the employees working at the headquarters of the business are District residents.”.

(b) Section 5(D.C. Official Code §2-217.04) is amended as follows:

Note,
§ 2-217.04

(1) Subsection (a)(1)(A) is amended to read as follows:

“(A) A bona fide local business enterprise; provided, that the applicant shall provide verification that it has satisfied the requirements of section (2)(7).”.

(2) A new subsection (a-1) is added to read as follows:

“(a-1) A local business enterprise shall provide access to the site of its headquarters to enable the Office or Commission to review the corporate and payroll records of the chief executive officer, managerial employees, and other employees of the business to determine compliance with the requirements of section (2)(7).”.

Sec. 3. Fiscal impact statement.

The Council adopts the attached fiscal impact statement as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

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

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

Chairman
Council of the District of Columbia

Mayor
District of Columbia