

AN ACT

Codification
District of
Columbia
Official Code

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the District of Columbia Procurement Practices Act of 1985 to further promote energy efficient choices within the District of Columbia by requiring the District government to procure Energy Star-labeled products.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Energy Star Efficiency Amendment Act of 2004".

Sec. 2. The District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01 *et seq.*) ("Procurement Practices Act"), is amended as follows:

(a) Section 107 (D.C. Official Code § 2-301.07) is amended by adding a new paragraph (23E) to read as follows:

Amend
§ 2-301.07

"(23E) "Energy Star label" means a designation indicating that a product meets the energy efficiency standards set forth by the United States Environmental Protection Agency for compliance with its Energy Star program."

(b) Section 402 (D.C. Official Code § 2-304.02) is amended by adding a new subsection (c) to read as follows:

Amend
§ 2-304.02

"(c)(1) In any solicitation by an agency for the purchase or lease of energy-using products, the agency shall include a specification that the products be Energy Star labeled; provided, that there are at least 3 manufacturers that produce products with the Energy Star label, and that there are at least 3 responsible vendors offering Energy Star labeled products. Nothing in this subsection shall preclude an agency from including a specification in a solicitation for energy-using products requiring that the products be Energy Star-labeled if there are either fewer than 3 manufacturers that produce products with the Energy Star label or fewer than 3 responsible vendors offering Energy Star-labeled products.

"(2) This subsection shall not apply to procurements:

"(A) If federal or local funding precludes the District government from imposing the requirements of this subsection; or

"(B) That are emergency procurements pursuant to section 312."

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"(3)(A) The Mayor shall designate an agency or office to develop and implement a plan for fulfilling the requirements of this section.

"(B) On or before May 1, 2005 and annually thereafter, the agency or office that the Mayor designates pursuant to this paragraph shall submit a report to the Council and the Mayor detailing the District's progress in meeting the requirements of this subsection."

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report 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.

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.

Chairman
Council of the District of Columbia

Mayor
District of Columbia