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2 Councilmember Robert C. White, Jr.

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6 Councilmember Trayon White, Sr.

Councilmember Brianne K. Nadeau

Councilmember Elissa Silverman

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10 A BILL

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14 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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19 To provide assistance to small businesses to ensure that they are able to remain open by
20 establishing a rental assistance program within the Department of Small and Local
21 Businesses.

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23 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
24 act may be cited as the "Small Business Rental Assistance Program Establishment Act of 2017".

25 Sec. 2. Definitions.

26 For the purposes of this act, the term:

27 (1) "Assistance" means grants or loans issued pursuant to section 3.

28 (2) "Community development financial institution" shall have the same meaning
29 as provided in section 103(5) of the Riegle Community Development and Regulatory
30 Improvement Act of 1994, approved September 23, 1994 (108 Stat. 2163; 12 U.S.C. § 4702(5)).

31 (3) "Department" means the Department of Small and Local Business
32 Development.

33 (4) "Eligible business enterprise" means a business that is eligible for certification
34 as a "small business enterprise" under section 2332 of the Small, Local, and Disadvantaged

Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.32). The business need not be certified as a small business enterprise as long as the business is eligible for such certification.

Sec. 3. Small Business Rental Assistance Program.

(a) The Department shall create and administer a program to assist business enterprises that are imperiled by rising commercial rents.

(b) No eligible business enterprise shall receive assistance, unless the business enterprise provides documentation to the Department showing that the eligible business enterprise:

(1) Has operated in the same location for at least 10 years; and

(2) Is financially healthy and would be likely to continue operating but for rising rent.

(c) The Department may impose reasonable conditions on an eligible business enterprise, including the successful completion of approved technical assistance training, in order to receive assistance pursuant to this act.

(d) The Department may award a grant or loan to an eligible business enterprise which has provided the documentation required by subsection (b). No grant or loan shall exceed \$50,000 per year, and no small business enterprise shall be eligible to receive more than 5 grants or loans over the life of the program. The Department may utilize community development financial institutions to provide grants or loans directly to eligible business enterprises.

(e)(1) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue regulations:

(A) Requiring the Department to collect, compile, and maintain a list of approved technical training courses accessible to eligible business enterprises;

(B) Specifying the application procedures and eligibility criteria for a grant or loan to a eligible business enterprise pursuant to this act; and

(C) Identifying documents necessary to show that an eligible business enterprise is financially healthy and likely to continue operating but for rising rent, as described in paragraph (b)(2).

(2) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue regulations to implement this act.

(f) On or before December 31 of each year, the Mayor shall provide a report to the Council detailing:

(1) The number of eligible business enterprises receiving assistance pursuant to this act;

(2) The number and dollar amount of grants and loans made; and

(3) An evaluation of the impact of each grant or loan on the operation of small business enterprises receiving assistance.

Sec. 4. Applicability

(a) This act shall apply upon the date of inclusion of its fiscal effect in an approved financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of this act.

Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.

This act shall take effect after 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.