A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the District of Columbia Code to create a local business ombudsman; establish roles and responsibilities of the Ombudsman’s office and to designate agency-wide Officers for Small and Local Business Inclusion.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Local Business Support Amendment Act of 2019”.

Sec. 2. The Small and Certified Business Enterprise Development and Assistance Act of 2005 effective October 20, 2005 (D.C. Law 20-108; D.C. Official Code § 2-218.01 et seq.), is amended by adding a new section 2313a to read as follows:

“Sec. 2313a. Local Business Ombudsman.

“(a) For the purposes of this subsection, the term “business” means any trade, profession, or activity which provides, or holds itself out to provide, goods or services to the general public or to any portion of the general public, for hire or compensation in the District of Columbia.

“(b) There is established within the Department of Small and Local Business Development the office of the ombudsman program to be operated and administered by the Department.

“(c) The Ombudsman shall be:
“(1)(A) A full-time position and a neutral resource for current and prospective business owners in the District of Columbia to provide potential resolutions of complaints and concerns regarding opening and maintaining a business; and

“(i) The Ombudsman shall be a District resident within 180 days of appointment.

“(ii) The Ombudsman shall serve for a term of 5 years, and may be reappointed.

“(iii) After notice and an opportunity to be heard, the Ombudsman may be removed only for cause that relates to the Ombudsman’s character or efficiency by the Mayor.

“(iv) If a vacancy in the position of ombudsman occurs as a consequence of resignation, disability, death, or other reasons other than the expiration of the term, the Mayor shall appoint an ombudsman to fill the unexpired term within 75 days of the occurrence of the vacancy.

“(v) A person with substantive experience in the fields of small business development, advocacy, licensing and certification, and the contracting and procurement process.

“(d) The Ombudsman, or his or her designee at a minimum shall:

“(1)(A) Refer individuals, when appropriate to other agencies or organizations for assistance with the Department services and programs;

“(i) Work jointly, when appropriate with other agencies and organizations to promote greater access to the Department’s services and programs;

“(ii) Serve as a liaison between the business community and the District government to assist and educate existing and forming businesses in their procedural relationships with the District of Columbia;
“(iii) Maintain accurate data to make data-informed recommendations for removing barriers to licensure for small businesses;

“(iv) Identify and help resolve complaints on behalf of business owners and assist local businesses with complaints and registering the firm to do business with the city;

“(v) Maintain a comprehensive list for what business owners must do to operate in full compliance with laws and regulations;

“(vi) Coordinate with the Department and appropriate agency personnel to ensure compliance with D.C. Code § 2-221.01 et. seq;

“(vii) Make annual recommendations to the Mayor and the Council on laws and regulations that are cumbersome and burdensome for business that should be amended or repealed;

“(vii) Adhere to other functions as defined by the Department; and

“(viii) Within 30 days of the end of the fiscal year, the ombudsman shall submit a report to the Department, the Council and the Mayor, detailing an accounting of all activities undertaken including:

“(I) An evaluation and analysis of the ombudsman’s programs and performance;

“(II) A complete fiscal accounting; and,

“(III) Any recommendations to improve access to the Department’s services.

“(e) Each District government agency subject to D.C. Code § 2-218.41 shall designate an Officer for Small and Local Business Inclusion (OSLBI) to serve as the principal point of contact
between each agency and the Department. The Department shall promulgate in its regulations the roles and responsibilities for the OSLBIs.

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; DC 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; DC Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.